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The Solicitors' Journal.

LONDON, APRIL 19, 1873.

EVER SINCE the House of Lords, on the suggestion of Lord Cairns, and with the full concurrence of the Lord Chancellor, determined to refer the Judicature Bill to a Select Committee, speculation has been rife as to the probability of the measure passing this session. Most gloomy forebodings on this subject have been uttered by some of our contemporaries, and the Chancellor has been severely reproached for the readiness with which he complied with a proposal assumed to be equivalent to "shelving" the Bill. This seems to us, to say the least, a somewhat hasty conclusion. About two-thirds of the session still remain, and there seems to be nothing to prevent the Committee, which is already nominated, from meeting immediately after the re-assembling of the House, and holding sittings *de die in diem*. In that case Lord Cairns has stated that the whole work of the Committee might be concluded within a week. Considering the tone in which Lord Cairns spoke of the measure, there is no reason to doubt that the course adopted has not been taken from any hostile motive, and we may even hope that it will result in an increased chance of the rapid passing of the Bill through the Commons. Of course the legal members will have criticisms to offer, but it does not seem likely that a measure of this kind, stamped with the approval of the law lords, will meet with any serious opposition in the Lower House.

We should be glad to think that the Bill will emerge from the Select Committee in an improved form. In the few observations which were uttered on the proposal to refer it to the Committee, no reference was made to any of the points which appear to us of primary importance, and we have therefore no adequate means of judging what may be the view ultimately taken upon these questions; but there was revealed a remarkable difference of opinion between the two noble and learned lords upon a point which, while it appears to us infinitely unimportant, seems not unlikely to have a material influence on the future of the Bill. Lord Cairns took exception to the provision which severs the Lord Chancellor from the proposed High Court of Justice, and seems to consider this severance as fatal to the Chancery Division of the Court: Lord Selborne, on the other hand, without absolutely refusing to reconsider this proposition, has expressed a very strong opinion in favour of its maintenance as it stands. We do not very well see how, if the Chancery Division is to become part of a great Court, with the Lord Chief Justice of England at its head, the Lord Chancellor can continue to form a part of that Court at all—as he cannot take a position inferior to that of the Lord Chief Justice—still less to form one of the judges of that particular division. Nor do we see that, under the provisions of this Bill, the efficacy of the Equity Division will be at all affected by this change.* It is true, as Lord Cairns remarked, that the connection of

the Lord Chancellor with the Court of Chancery has been "the life of the Court;" nay, rather, that the Court of Chancery is nothing more than a systematised Lord Chancellor; but it is nothing uncommon to find that that which is historically the acting cause is no longer needed for the continuance of the effect. The distribution and incidents of tenure of land in this country were brought about, with unimportant exceptions, by the agency of the Feudal System, and we can well imagine that many a "*laudator temporis acti*" in the reign of Charles II. must have stontly maintained that the abolition of military tenures would necessarily throw the whole law of real property into inextricable confusion; and yet we see that it has hardly even effected the abolition of all the more objectionable incidents of the Feudal System; whilst in its main characteristics that system as completely governs the tenure and transmission of land now as it did in the days of the Plantagenets. The case of *Deedes v. Giles*, on which we recently made some observations, is a notable instance of this. Just similarly we may well suppose that the great system of Equitable Jurisprudence in this country (which, like the *Jus Prætorium* which is its Roman prototype, owes its origin to an arbitrary interference by the Executive Government to remedy cases of hardship or denial of justice arising in the course of the ordinary administration of the law), will, even when severed from the immediate control of the great Executive Officer from whose action it came into existence, continue, as did the *Jus Prætorium* after Justinian, to pervade and control the whole course of the administration of justice, and that not the less that it will be no longer in antagonism to, but in co-operation with, the course of the Common Law.

As we have always maintained, even long before the institution of the "High Court of Justice" was mooted by the Commissioners, that the true position of the Lord Chancellor, as an executive officer, was that of Minister of Justice; and that the head of the Court of Equity ought, like all other judges, to hold office during good behaviour; we cannot regard otherwise than with satisfaction a proposal which goes so far towards the realisation of our idea.

IT APPEARS that at the recent election at Tyrone the presiding officer at some one or more polling booths marked the register number of the voter on his ballot paper instead of on the counterfoil. The result was, that these ballot papers were properly rejected by the returning officer under section 2 of the Ballot Act. The losing party appear to make a grievance of the fact, not only that these ballot papers were rejected, but that no record was kept of them. We presume, however, that the returning officer followed the course prescribed by the Act of putting the rejected ballot papers in a separate packet and returning them with the others to the Clerk of the Crown and Hanaper in Ireland. If that has been done, inspection of them may be obtained under rule 40 of the Schedule. If it should turn out that the mistake or fraud, whichever it may have been, of the presiding officer affected the result of the election, we apprehend that the return would be set aside upon petition. If, however, the returning officer destroyed the rejected papers, we apprehend that he has committed an offence which would subject him to punishment. The affair is instructive as illustrating the great power which the Ballot Act gives to presiding officers and other officials of tampering with papers so as to affect the result of elections. In the present case what was done may have been by an innocent mistake, though it certainly was a very gross one, but it suggests what might easily be done intentionally. While the Ballot Bill was under discussion we were constantly pointing out that its working was left to depend entirely upon the honesty of the officials who would have to carry it out, and that no sufficient checks upon them were provided. The attention of our legislators was, however, turned to other

* The changes objected to by Mr. Hemming in his very able and important pamphlet upon this Bill raise very different considerations, and certainly give rise to a danger to be guarded against, though we think its imminence much exaggerated.

matters which we always thought of far less practical importance.

THERE HAS BEEN A good deal of correspondence in the papers this week with reference to the case of Mr. Weightman, the barrister recently convicted of stealing a book from the Inner Temple Library, and it is announced that a subscription has been set on foot for his benefit. To the proposal to raise a fund to enable a man now not far from the verge of old age, and who has utterly failed to earn a livelihood in his profession, to turn to some new employment, no one would desire to take exception, and compassion may well be excited by the story of privation and struggles related by him at the bar of the Old Bailey. But charity and compassion do not involve the necessity of freeing their object from blame, and we are certainly unable to agree that a persistent adherence to a mistaken vocation can properly be designated "a battle of life nobly fought." Should not common sense have long ago shown to Mr. Weightman the desirability of quitting a profession which failed to provide him with the means of obtaining food or clothing? The probability is that the men who with slender purses and no connections adventure themselves at the bar, do so from an idea that even if they fail in the proper work of the profession, some bye-path may be found for obtaining a subsistence. There are probably more of these bye-paths open to the barrister than to members of other professions, but the fact is that they are already crowded, and it is impossible to say that the chances they afford are such as to justify the expense and delay attending call to the bar. If any one wants proof of this, let him turn to the names of counsel, occupying 183 pages of the *Law List*, and observe how few, comparatively, have attached to their names descriptions indicating that they are engaged in strictly legal work.

AMONG THE MANY morals drawn from this sad case with which our contemporaries have favoured the public, perhaps the most remarkable is that furnished by the *Saturday Review*. It does not very obviously flow from the narrative; but that, as is well known, is a characteristic of "morals" in general. In the opinion of our contemporary "There are few really good lawyers—that is lawyers who know the law—now at the bar, and still fewer good speakers. The great run of lawyers are content to scramble on with mouthfuls of law picked up from day to day as occasion requires, trusting to text-books and luck for getting up the necessary information when a call happens to be made for it. The common oratory of the bar is a deplorable exhibition. It has reached a high average standard when it is just articulate, and does not too violently outrage the rudimentary laws of grammar. With the exception of the Lord Chancellor and the Chief Justice there is hardly a judge on the bench who, to say nothing of elevated thought and literary subtlety, can even turn a decent sentence; and at the bar Sir John Karslake and the Attorney-General stand almost alone in preserving the old traditions of forensic eloquence." May we be permitted to suggest that judges are not placed on the bench to "turn decent sentences" of the kind alluded to by our contemporary, but to frame just and proper "sentences" of a wholly different description. And if by the old traditions of forensic eloquence is meant the long-winded peroration of former days, everyone who values the rapid and efficient transaction of public business will be inclined to express his devout thankfulness that this "tradition" has so nearly disappeared alike from Parliament and the bar.

FINDING THAT the Attorney-General hangs fire in respect of his promised Bill to codify the law of evidence, Mr. Collins, solicitor, of Winchester, has prepared and printed a Bill with this object, and has circulated it among persons likely to take an interest in the subject. Mr. Collins's Bill is modestly entitled "A Bill to Amend

the Law Relating to Evidence," but it clearly ought to have been styled, "A Bill to Codify the Existing Law relating to Evidence, with some alterations therein." In a schedule are set out all the existing enactments relating to evidence, and by the second section all enactments mentioned in the schedule are repealed, but most of the old rules are re-enacted in subsequent sections. We are bound to say that in general Mr. Collins's language is characterised by brevity and clearness, but to this there are some exceptions, and we must confess we are rather at a loss to understand the necessity for the clause which proposes to enact that "A witness shall not be bound to produce in any Court any deed, trust, document, or writing whatsoever, which he or she is not bound by law to produce." Among Mr. Collins's proposals we may note the following:—A witness to be allowed to use a memorandum to refresh his memory only when it has been made by himself. A confession made to a Roman Catholic priest to be privileged. Any person conversant therewith to be a competent witness to prove foreign law. Entries against pecuniary interest made in the course of business to be admissible in the lifetime of the maker, whether he is producible as a witness or not. A confession of guilt made by a person in custody not to be admissible unless reduced into writing by, or before, a magistrate, and signed by him.

IT IS ANNOUNCED that the Anglo-American Claims Commission, appointed, as our readers may remember, under the Washington Treaty, to adjudicate upon claims "not being claims growing out of the acts of the vessels referred to in Article 1" of the Treaty, have disposed of more than half of the cases before them. There are 218 still remaining to be heard, but the Commissioners have little doubt that they will get through the list before September. Considering the importance and intricacy of some of the claims presented and still unheard, we are inclined to think this anticipation somewhat too sanguine. The United States have not, as yet, been mulcted in any very formidable damages. The aggregate amount of the awards already made against them is estimated by the Philadelphia correspondent of the *Times* at 200,000 dols., and by some mysterious process of calculation it seems to be guessed that the total award against the United States will not exceed 400,000 dols. If this prophetic announcement is to come true, no inconsiderable reduction will have to be made by the Commissioners on some of the amounts claimed. Thus in one case alone—that of Mr. Shaver, a British subject and an agent of the Grand Trunk Railway of Canada, who was arrested at Detroit and imprisoned by order of Mr. Seward, the damages are computed at 161,138 dols. There must surely be some mistake about the figures relating to the aggregate amount.

A BEWILDERED CORRESPONDENT writes to say that he is rather in the dark as to the case of *Eagles v. Le Breton* (reported L. R. 15 Eq. 148). He is willing to assume that the case was worth reporting, but he would like to know what the decision really was. The headnote to the case is—"Testatrix directed all her property at the death of A. and B. 'to pass to my relatives in America.' Held, that the class was to be ascertained at the death of the testatrix, and that all her next of kin in America then living were entitled as joint tenants," while the judgment, which is contained in three lines, is as follows:—"Lord Romilly, M.R., held that the class was to be determined at the death of the tenant for life, and that the next of kin of the testatrix in America then living were entitled as joint tenants."

ON THURSDAY LAST, being the first working day of Easter Term, Vice-Chancellor Wickens resumed his seat in the Court of Chancery. The learned Judge is evidently still somewhat weak, and has, we believe, complained of feeling as yet hardly up to the renewed exertion, and we are sorry to find that he is not entirely free from the

recurrence of the fits of sudden pain to which he was so subject for some time before his late illness, though, so far, the attacks seem both much less frequent and less intense than before; but with this exception, and a slight appearance of languor, arising probably from the weakness mentioned, we are happy to state that he shows no traces of the severe and prolonged suffering which he has so recently undergone. We sincerely trust, and with good hope, that he will not feel any ill effects from so early a return to his official duties.

THE PERILS OF EQUITABLE MORTGAGEES.

I.

If some decisions may be described as sign-posts to guide, others can only be looked upon as beacons to warn. The decision in *Dixon v. Muckleston* (21 W. R. 178, L. R. 8 Ch. 155) is emphatically one of the latter class, and the warning it conveys cannot be too carefully observed. The danger it suggests has been often considered, but, probably, never before presented in so striking a light. Our object at present is simply to point out the effect of the judgment above alluded to, leaving for a subsequent article the consideration of the grounds of authority and principle on which it was founded. Shortly stated, the facts of the case were these:—The plaintiffs were bankers, who in 1868 advanced money to Edward Muckleston on a memorandum of charge, accompanied by the deposit of a set of deeds relating to an estate, consisting of Pen-y-bank Farm and lands at Cotton Hill. The deeds deposited showed a good title to three-fourths of the estate since 1787, and to the remaining fourth since 1822. The title was apparently advised on by the plaintiffs' solicitors, and the plaintiffs had no notice of any previous charge. In 1869, Edward Muckleston became bankrupt, and it then appeared that in 1864 he had deposited with his aunt (who was represented by the defendant), as security for money due by him to her, a deed of 1774, relating to the Pen-y-bank Farm, and that there was also in her possession a deed of 1814, executed upon her own marriage, relating to one-fourth of the estate. An informal letter was written by Edward Muckleston to his aunt, after the deposit, stating that he had deposited the title deeds of the Pen-y-bank Farm as security for a debt due from him to her. It was held by the Lord Chancellor, affirming the decision of the Master of the Rolls, that as between Edward Muckleston and the representatives of his aunt a good equitable security was created, whatever the deeds might be which were then in the aunt's hands, and his lordship went the length of saying "that if the deeds had not been deeds relating to the estate at all, but stated by Edward Muckleston in writing to be so, still the same security would have been effected." In fact, it appears that a brown paper parcel filled with old newspapers, duly tied with red tape, and stated by Edward Muckleston, in writing, to contain the deeds of the property, might have been equally efficacious for this purpose. An interest in the property having thus been effectually vested in the aunt, the question next arose whether her acts or omissions had been such as to justify the Court in postponing the interest she thus acquired to that taken by the bankers under the subsequent transaction. On this part of the subject we may have something to say hereafter, and it is to be observed that the Lord Chancellor expressly guarded himself from stating how he should have looked at the case if it had been free from authority. But he considered that he was bound by a series of decisions to hold that the aunt had not been guilty of such "wilful negligence" as to deprive her of her priority, and that as regarded the Pen-y-bank Farm, she had the first equitable charge.

The practical effect of this doctrine is obviously to open a door to fraud of the grossest kind. An equitable mortgagee may adopt every precaution which care or skill may suggest; he may have handed over to him deeds showing a sixty years' title, together with a formal

memorandum of charge, and yet, after all, he may find himself postponed to another person who has possession of a deed, it may be a hundred years old, accompanied by an informal memorandum. This latter person, it appears, is not bound either to look into the deeds deposited with him or to satisfy himself that they are not such as to leave in the hands of the mortgagor the opportunity of perpetrating a fraud on another person by repeating the transaction with him, and professing to show a complete title. No duty, in fact, is cast upon the owner of the first equitable charge, and, therefore, no negligence is imputed to him for not inquiring into the nature of the deeds delivered and as to the existence of other deeds. It may be that in his inertness may lie his safety. "If it had been suggested and proved," said the Lord Chancellor, in the recent case, "that the deeds had been examined, and, being examined, had been found to be ancient and not essential to the title, that would have raised a different kind of case, upon which I express no opinion." The paper parcel with unbroken seals, and stated by the mortgagor, in writing, to contain the deeds of the estate, is a sufficient shield to the depositor from any subsequent incumbrancer. It is a mild way of expressing the results of this doctrine to say, with the Lord Chancellor, that "injustice is sometimes done." That intolerable evils have not already arisen is certainly no small testimony to "the honour and integrity generally shown by the persons engaged in these transactions."

The moral of the decision is obvious so far as the profession are concerned. If your client, to oblige a customer or a friend, desires to advance a sum of money on a house or an estate and tells you the debt will be repaid in a week, and the borrower has been in possession of the mortgaged estate for half a century, and will deposit his title deeds as security, you must answer somewhat to this effect: "If the proposed security consisted of cotton at New Orleans or sugar believed to be somewhere on the Atlantic, the possession of documents which would represent the thing would give you a good security. With land, however, it is different. Muni-ments of title give the holder no sufficient defence. Your proper course will be to have a formal mortgage prepared which will bear a stamp costing a considerable sum. By this deed, when duly executed and delivered, the legal estate (the devolution of which I will previously procure to be traced during the last sixty years by a person skilled for that purpose) will pass to you, and by means of this you can defend yourself against all equitable claims of persons who may have as good right to the property as yourself; without it your so called security may be wholly useless." Nothing but the consideration of how large an expenditure for costs would be involved in taking the advice ought to deter the solicitor from urging this view most strongly on the client.

Another reflection is furnished by the Lord Chancellor in his judgment in the recent case. He says—"It is impossible to reflect on this injustice without finding very cogent arguments in favour of some attempt to improve the state of the law as to title of real estate, and to get rid of the difficulty which arises from the distinction between a legal and an equitable estate, and to avoid the necessity of deducing title by long and complicated abstracts travelling through a great number of deeds. But in the meantime, until the Legislature sees its way to apply a remedy to that state of things, we must deal with the law as we find it."

The case of the Tichborne Claimant is appointed to commence at Westminster in the Court of Queen's Bench on Wednesday next. There are three indictments set down for hearing at a trial at bar, and it is believed that Cockburn, C.J., and Mellor and Lush, J.J., will attend.

Owing to the unusual duration of the assizes at Leeds the Recorders of boroughs upon the circuit have been compelled to postpone the holdings of their courts. The sessions at Newcastle, Leeds, and other smaller boroughs, have been postponed.

THE QUESTION OF EVIDENCE RAISED IN
REGINA v. COTTON.

The interest which this painful case has excited affords a good opportunity for drawing attention to the important question of evidence which arose in the course of the trial at the Assizes recently held at Durham.

The prisoner, Mary Ann Cotton, was being tried for the murder of her stepson, Charles Edward Cotton, by the administration of arsenic. The prisoner's counsel showed by his cross-examination that he intended to rely upon the theory that the deceased was accidentally poisoned. To rebut this theory the counsel for the prosecution proposed to adduce the following evidence. Three other persons had died some two months before in the prisoner's house under very similar circumstances, and all within a very short time. The prisoner stood charged upon three several indictments as having caused these deaths also. It was proposed to show that these persons too had died by arsenical poisoning; and, after hearing the arguments of counsel, and consulting with Pollock, B., Archibald, J., admitted the evidence. The prisoner was convicted.

There is no question here as to the correctness of the ruling of the learned judge. Precisely similar evidence had been admitted in the well-known case of *Reg. v. Geering* (18 L. J. N. S. M. C. 215) by Pollock, C.B., Alderson, B., and Talfourd, J., and very similar evidence by Willes, J., in the later case of *Reg. v. Garner* (3 F. & F. 681) after consultation with Pollock, C.B. In one important respect the ruling in *Reg. v. Geering*, went even further than the ruling in the present case, because there the occurrences which were proved in evidence followed in point of time the commission of the crime for which the prisoner was being tried. But it is worth while to consider the grounds upon which evidence of this nature is admitted, and whether its admission is not a violation of the general maxim of English law, that the facts proved must be strictly relevant to the particular charge, and have no reference to any conduct of the prisoner unconnected with such charge.

There are three classes of cases in which evidence of other acts, criminal in themselves, may be, and may be fairly, adduced against the prisoner. In the first place, where (as in the case of offences against the revenue laws) an essential part of the crime is guilty knowledge, this evidence is so clearly pertinent, that its absence affords a strong presumption of the innocence of the accused; and since the decision of the twelve judges in *Tattershall's case*, in 1801, it has always been allowed in this class of cases to prove the prisoner's guilt by other acts of a similar kind. (See *Reg. v. Bull*, 1 Campb. 324, and per Lord Ellenborough, *Whitley and Haines's case*, 2 Leach, 983.) A man who is charged with uttering forged bank notes or counterfeit coin is really protected by a rule which requires that his guilt should be proved by this means.

Again, where the essence of the crime is guilty, or, as it is more technically termed "malicious," intent, the same principle is properly applied. Thus, on a charge of embezzlement, evidence may be given of previous errors of a similar kind in the accounts kept by the prisoner, in order to negative the defence, that the prisoner has merely made an innocent mistake (*Rex v. Richardson*, 2 F. & F. 343). And where a prisoner was tried for malicious shooting, proof was allowed to be given that the prisoner at another time intentionally shot at the same person (*R. v. Voke*, R. & R. 531). As it has been well observed, "Intention is not capable of positive proof, and, if it cannot be implied from the facts and circumstances which together with it constitute the offence, other acts of the defendant from which it can be implied to the satisfaction of the jury must be proved at the trial."

The third class of cases is that in which the evidence of other criminal acts of the prisoner is admissible against him, because although in a certain sense separable, they really are all, to use the words of Willes, J. (in *R.*

v. Rearden, 4 F. & F. 76), "in substance part of the same transaction." Within this class fall pre-eminently cases of treason and conspiracy to commit a felony (see per Lord Ellenborough in *R. v. Roberts*, 1 Campb. 400). The very notion of conspiracy involves a series of acts more or less continuous. And peremptorily to exclude evidence of similar acts on the part of the prisoner other than that charged in the particular indictment would be to render a conviction upon it almost impossible. And in cases of treason it would appear that the prisoner is allowed a corresponding latitude in the evidence for his defence. It was held that Horne Tooke might, on his trial for seditious writings, put in evidence other writings of his in which contrary views were expressed. The clear and intelligible rule with reference to this class of cases is laid down by Bayley, J. (in *R. v. Ellis*, 6 B. & C. 147), "It is not competent to a prosecutor to prove a man guilty of felony by proving him guilty of another unconnected felony, but where several felonies are connected together and form part of one entire transaction, then the one is evidence to show the character of the other." It is evident that such a boundary line as this cannot be drawn with precision, and that much must be left to the discretion of the Court in each case. Willes, J., put a wide construction upon the theory stated by Bayley, J., when in *R. v. Rearden* (quoted above), he admitted evidence of repeated assaults subsequent to that which formed the subject of the indictment.

To sum up, there are valid reasons in all these three classes of cases why evidence of previous criminal acts committed by the prisoner may be and must be admissible against him, for the reasons which have been stated. The admission of the evidence cannot in any one of them unfairly prejudice the prisoner's position. Moreover, in the first two classes, the particular act with which the prisoner stands charged has been proved against him. It is the legal criminality of the act depending upon his guilty knowledge or guilty intent which is alone in question.

The point of inquiry is on what ground such evidence as we are discussing was admitted in *Reg. v. Cotton*, and similar cases, and whether its admission can be brought under any of the above-mentioned principles. The case of *Reg. v. Geering* (*ubi sup.*) is a leading decision upon this head, and when the evidence given in that case is examined it will be found to consist of two parts, both of which seem essential to the relevance of the whole, but the relation of which to one another is strangely obscured in the headnote of the case. First, there was the fact that several other members of the family of the deceased had died from the same cause as himself, namely, arsenical poisoning. Secondly, there was the fact that the prisoner stood, in respect of opportunity for administering poison, in the same relation to them as to him. In the headnote it is said generally that the evidence was admitted, first, to show that the present deceased actually died of arsenical poisoning, and, secondly, to show that his taking of arsenic was not accidental. But the Chief Baron's words are distinct, that the domestic history of the family (the second branch of the evidence) was admissible to show that "such taking," that is the taking by the members of the family in general, was not accidental, and one may say that some such evidence was not only admissible, but necessary; for the mere fact that one member of the family had died from arsenic at Hong Kong, and another member had died from the same cause at New York, would certainly not be relevant to show that a particular person had poisoned a third member of the family at Jerusalem, unless, indeed, it were shown that this third member was killed, say by a poisoned letter (if such a mode of poisoning exists out of works of imagination), and that the person charged had also been in correspondence with the two first; or unless in some other way the person charged was brought into connection with their death. The headnote quite obscures the true bearing of the evidence, which becomes still

more clear when the similar evidence given in *Reg. v. Garner* (5 F. & F. 681) is considered; it was apparently from this connection not being, in the opinion of the learned judge established in a sufficiently cogent manner, that Martin, B., rejected the evidence as to the other deaths in *Reg. v. Winslow* (8 Cox C. C. 397).

But it is also clear that this branch of the evidence, the effect of which is to show the taking not to be accidental, is not only essential, but is the really important part of the evidence. But for this, the other deaths would be only so many cases of poisoning furnishing similar symptoms. In what way, then, does the evidence show the taking of the poison, either by the other persons or by the present deceased, to be other than accidental? Accidental is here opposed to "designed." What then is it that shows the taking to be designed? A death from taking arsenic is, for various reasons, a very rare occurrence. A series of such deaths occurring within a short time is still more rare. From the happening of such an occurrence, it may be surmised that the kind of cause, called a design, was present, and as there are few persons in the world who entertain and carry out designs of this nature, it may be further surmised that the deaths are all due to the design of one person. But is this more than a surmise? It is not more unless some further facts are shown as were proved in *R. v. Geering*, and were there relied on by the Chief Baron as showing the taking not to be accidental. And what were these facts? They were facts showing the prisoner to have had the opportunity of administering poison to all the persons who so died; the opportunity consisting in the preparation of food taken by them. What, then, does this really show? It shows that the prisoner, having had the opportunity of administering poison to those who died, the same consequences followed as if she had made use of that opportunity to administer it. Now, in effect, that is the conclusion drawn. For the view must be taken either that the prisoner, having the opportunity, did use it, or that, having that opportunity, she did not use it, or no view must be taken at all. Of these three alternatives the only one that is relevant to show the prisoner's guilt is the first; and that is the view that is in fact taken. That is, it is inferred from the evidence that the taking of the poison in all the cases was due to the design of the prisoner. In short, this is to say, that the prisoner poisoned all those persons; and that this is so, is shown by the consideration that if the other hypothesis were adopted, and it were assumed that in the other cases the prisoner, though having the opportunity, did not use it, the evidence would go strongly to show that the prisoner did not use the opportunity in the case in hand; more especially when it is considered that if the previous poisoning was not accidental but designed, and was not the result of the prisoner's design, it was the result of the design of some one else; and having found one poisoner, and poisoners being few, there is the less reason to seek in the prisoner for a second.

In truth, then, it cannot be disguised that the bearing of the evidence is to fix on the prisoner the suspicion of having caused the deaths of the other persons, in order to fix her with the charge of having caused the death of the present deceased. And it cannot be denied that, when the circumstances show a sufficiently close similarity between all the cases, especially in respect of the position in which the prisoner stood to all those poisoned, the evidence may be of the most cogent kind.

But what is the proper description of this evidence? Is it anything else than evidence of disposition and habit? But evidence of disposition and habit is ordinarily excluded from the trial of the question whether a particular crime has been committed by the accused, unless the evidence is connected with the particular act or with the person against whom the act was committed; it will not do to give evidence of the connection of the prisoner with criminal courses in general, nor even with criminal acts of the same nature with that charged; the

evidence must be of something connected with some of the essential circumstances of the act in question. Is then, this evidence so connected? In larceny and crimes akin to it, the motive is usually the unlawful acquisition of property belonging to others; it does not matter to the criminal whether it is taken from this person or from that; there is, therefore, nothing in general evidence of disposition or habit to connect the accused with this particular act or this particular person. But with offences of which the injury of a particular person is the direct object, the case is different; they involve malice against the particular person; the precise motive of this malice it is often difficult to trace; nowhere more so than in these cases of family poisoning; but the connection and relation of the prisoner to several persons may be so much the same that, whatever may be the precise form and description of the malice, it is reasonable to say if it exists against one it exists against all. If so, then, when there has been a series of deaths of such persons, the whole may be regarded as one transaction, or as a series of transactions connected together, and the case would be brought under the third head mentioned above. It is difficult to avoid the conclusion that this is the view upon which such evidence has been admitted, although neither this nor any other principle has so far as we know been previously stated as the ground of its admission.

We believe that the cases in which this kind of evidence has been admitted have been all cases of family poisoning; but cases may be imagined where the same principle would seem to apply. Suppose for instance a house existed situated like Silas Marner's cottage, close by an old quarry pond which adjoined the highroad; and suppose that some person having been traced to the house disappeared under circumstances casting suspicion upon the owner of the house; and that his body was discovered at the bottom of the pond; and that in the search the bodies of six other persons were discovered in the same place, and those persons could all be proved to have come to that house, and never to have been heard of afterwards: would the fact of those six persons having come to that house, and being last heard of there, and of their bodies being afterwards discovered at the bottom of the pond, be admissible on the trial of the person keeping the house for the murder of the seventh? We incline to think it would.

It may be a question, however, whether in cases where evidence of this kind is admissible, the proper course would not be to indict the prisoner in one indictment for the murder of all the persons in respect of whose death suspicion is sought to be fixed upon him. No doubt a fixed practice, as operative as a strict rule of law (though not we believe any rule of law), prevents that course from being taken; but it is worth consideration whether the practice might not properly be changed, if only sufficient safeguards can be provided against the abuse of oppressing a prisoner with an accumulation of suspicions.

PRIVATE BILLS.—In cases in which the time for objections to private Bills in the Commons would have expired during the Easter recess there is an extension to Monday next.

FATAL ACCIDENT TO A BARRISTER.—A sad story comes from Wales. On Sunday Mr. G. F. Payne, a barrister, strolled over the mountains near Aber with a friend. They went to view the Aber waterfall, and it is presumed that Mr. Payne became giddy, lost his foothold, and fell a tremendous distance, alighting on his head in the basin of the waterfall. His head was cut open, and death was instantaneous. Mr. Payne was well known at Cambridge in 1867 as the leading speaker at the Union. He took a First Class in the Law Tripos, and was elected to a law studentship in his college, Trinity Hall. He was called to the bar by the Middle Temple in 1869, and was a member of the Northern Circuit. He had just returned from a tour in North America.

RECENT DECISIONS.

EQUITY.

EQUITABLE ASSIGNMENT OF CHOSE IN ACTION.

Addison v. Cox, L.C., 21 W. R. 180, L. R. 8 Ch. 76.

Cases relating to charges made by officers in the army on the proceeds of sale of their commissions will henceforth be a gradually diminishing quantity, and in a comparatively short time must vanish altogether. Meanwhile, one of such cases has just been decided by the Lord Chancellor, and is deserving of notice, inasmuch as it throws a useful light on the principles by which the Court is guided in dealing with equitable assignments of choses in action.

An officer had mortgaged the proceeds of his commission to the plaintiff, and subsequently to a person named Mountain. Upon his retirement, by sale, on the 30th September, 1870, £450, part of these proceeds, under the special circumstances of the case, were payable by the Government. The fund out of which they were payable was called the Reserve Fund, and was kept by Messrs. Cox, who were bound to deal with it according to the directions of the military authorities at the Horse Guards. Messrs. Cox received no directions about the £450 from the Horse Guards until the 6th October, 1870, when a formal order reached them to transfer £450 from the Reserve Fund to the officer. They communicated this order to the officer, and at the same time sent him a form of receipt. Under the regulations of the Horse Guards they were not allowed to issue any sum out of the Reserve Fund except upon a written receipt signed by the officer. On the 20th October the receipt was returned signed by the officer, and thereupon the £450 became issuable. Meanwhile, on the 14th October, the plaintiff served notice of his charge on Messrs. Cox. Mountain served his notice on the 4th November. The question was, which of these two incumbencers was entitled to priority.

The Master of the Rolls (20 W. R. 853) considered that the £450 was not held in trust for the officer or his assigns till the signed receipt came into the hands of Messrs. Cox, and that accordingly Mountain was entitled to priority. Assuming that his Lordship's premises were right, and that the relation of trustee and *cestui que trust* was not created until the signed receipt was returned, his decision was clearly right, inasmuch as it is well settled that notice of a charge on a fund to a person who may become, but is not yet, the holder of the fund, is absolutely ineffectual (*Buller v. Plunkett*, 9 W. R. 190, 1 J. & H. 441; *Somerset v. Cox*, 12 W. R. 590, 33 Beav. 634). On the appeal, therefore, the question was, whether his Lordship's assumption was right or not.

The Lord Chancellor held that at the time when the plaintiff gave his notice the officer was a creditor of the Crown for the £450, which was payable out of the Reserve Fund; and that, even in the absence of any formal order from the Horse Guards, notice to Messrs. Cox, the persons charged with the custody of the fund and the payment of all sums payable thereout, would have been sufficient to perfect the assignment. His Lordship held further that the formal order, when communicated to the officer, amounted to a binding equitable assignment of £450, part of the Reserve Fund, for payment of his particular debt; and that, at all events, from the date of the order and its communication to the officer, Messrs. Cox & Co. were stakeholders of the appropriated part of the fund. The decision of the Master of the Rolls was accordingly reversed.

COMMON LAW.

TROVER.

England v. Cowley, Ex., 21 W. R. 337, L. R. 8 Ex. 126.

This is an important decision on the question of what amounts to a conversion. The conflict of opinion in

the Exchequer Chamber in the recent case of *Fowler v. Hollins* (20 W. R. 868, L. R. 7 Q. B. 616) will be remembered. In commenting on that case we pointed out the influence which the view taken by the Court of the facts of that case, contrary to the finding of the jury, evidently had upon the judgment, and we drew attention to the startling consequences which would follow if the view of Martin, B., were strictly carried out (16 S. J. 790). That learned judge appears still to retain the stringent view of what amounts to a conversion which he then expressed, but in the present case the rest of the Court have refused to carry the doctrine to so extreme a length. The defendant had here interfered with the removal by the plaintiff of goods assigned to him under a bill of sale by a tenant of the defendant's, and which were on the premises occupied by the tenant, for which rent was overdue. By reason of his interference the goods, which the defendant could not then have distrained because it was past the hour for distress, remained on the premises till the following morning, and were then distrained by him. The plaintiff thereupon sued him in trover, but the Court held (Martin, B., dissenting) that the action could not be maintained. The goods were actually left in the possession of the plaintiff; the defendant only refused to allow of their removal till the rent was paid. In this he was acting unlawfully; but was it a conversion of the goods? If it was, then equally there would be a conversion in the cases aptly put by Bramwell, B., by way of illustration. It is to be observed that if there was a conversion, it was complete on the evening when the interference took place, and the defendant could equally have been sued if no distress had taken place on the following morning. The plaintiff does not appear to have asked for any amendment, and the case was not argued on any other footing than that of conversion: it may be a question whether, in another mode of stating his case, the plaintiff might not have succeeded in recovering equivalent damages as consequential on the defendant's unlawful act in preventing the removal; but on the facts (the plaintiff not having stood to his rights as he might have done), it was, perhaps rightly thought that he could only succeed by the help of the extreme view favoured by Martin, B. The case establishes the rule that, to support an action of trover, the plaintiff must be actually deprived of possession by the defendant.

SERVICE OF WRIT ON FOREIGN CORPORATION.

Mackreth v. Glasgow and South Western Railway Company, Ex., 21 W. R. 339.

In commenting (16 S. J. 424) upon the case of *Newby v. Van Oppen* (20 W. R. 383, L. R. 7 Q. B. 293), we pointed out that the Queen's Bench there decided two things—first, that a foreign corporation could be sued in an English court, and be served with notice of a writ under section 19 of the Common Law Procedure Act, 1852; secondly, that a corporation, though foreign, might still, for the purposes of service, be treated as resident in England, if it carried on business here by a branch establishment, and that in that case service on the agent in charge of the branch would be good service under section 16. In the present case the Court of Exchequer have not dissented from either branch of the decision, but they have refused to consider a ticket clerk issuing tickets in England for a Scotch railway company, as a "head officer, clerk, or secretary," who could be served under section 16. This is the whole extent of the decision, and this much was, as the Court showed, concluded by *Walton v. Universal Salvage Company* (16 M. & W. 438), where it was held that, under the similar provisions of 2 Will. 4, c. 39, s. 13, the word "clerk" meant "principal clerk"; and, notwithstanding some observations by Bramwell, B. (whose doubts are always entitled to the greatest weight), we need not treat the case as throwing any doubt on the decision in *Newby v. Van Oppen*. The result was, that the defendants in the present case, being a Scotch company, could not be sued

at all in England, because they could not be served; but that is no more than constantly happens where the intended defendant lives in Ireland or Scotland.

GENERAL AVERAGE.

Stewart v. West India and Pacific Steam Ship Company, Q.B., 21 W. R. 381, L. R. 8 Q. B. 88.

Nothing can be more unintelligible than the distinction which average adjusters have been in the habit of drawing between the circumstances which, as being circumstances of imminent peril, will make a sacrifice incurred to avert that peril a general average loss, and the circumstances which, as amounting to a moral certainty of total loss (and always including fire), will not allow of a sacrifice being so treated. If the case were that, some particular thing was in course of destruction, or threatened with immediate destruction, and that to allow of its destruction in the mode then in operation would involve the whole adventure in disaster, while to destroy it in another way would save the rest, it might be more plausibly maintained that the mere election of that alternative destruction would not convert the loss into a general average loss. But for the rule which has in fact been acted on, it is difficult to find even a pretence of reason. The interest of the present case is, that it contains a decisive condemnation of the arbitrary rule above mentioned; in this particular instance, however, the plaintiffs having expressly agreed that average (if any) should be "adjusted according to British custom" it was held that the rule observed among British average staters must be followed, however erroneous it might be; and the plaintiffs were therefore held not entitled to general average in respect of cargo injured by water which was admitted through holes cut in the ship for the purpose of quenching a fire that had broken out in the forehold. In this respect the case had some resemblance to the case of *Harris v. Searamanga* (20 W. R. 777, L. R. 7 C. P. 481, commented on 16 S. J. 790).

CONTRACT MADE BY A DRUNKEN MAN.

Matthews v. Baxter, Ex., 21 W. R. 389, L. R. 8 Ex. 132.

But for the hesitation of Pigott, B., we should have thought no doubt could be entertained as to the power of a man to ratify, when sober, a contract which he had entered into when drunk. The distinction drawn by Pollock, C.B., in *Carr v. Gibson* (13 M. & W. 623), between express and implied contracts seems to come to no more than this, that as to the latter, the only ratification required is found in the keeping and enjoyment, when sober, of the things supplied; as to the former, the ratification must clearly refer to the express promise actually made. In *Matthews v. Baxter* the question arose on the pleading, the replication giving the answer of ratification to a plea of drunkenness, and the question being whether the ratification was good. Upon evidence the question might present itself in a more plausible shape. Suppose the contract were one requiring signature under the Statute of Frauds, and were signed when the defendant was drunk, and not re-signed, but only ratified orally when he was sober, could it be said that he had actually signed within the meaning of the statute? Or suppose it were signed by another (not previously authorised) on his behalf, at a time when, in consequence of his being drunk, he could not in fact give any authority to sign? No doubt in both cases he would be held bound by the signature, if afterwards, with full knowledge of the fact, he expressly recognised the signature as his, or expressly adopted the act and signature of the assumed agent as done on his behalf. It would be like the case of a man delivering as his signature his printed name, which is held a good signature under the statute.

There are over 100 applications for admission as attorneys in this term, in addition to renewed applications.

NOTES.

The Irish Quarter Sessions have afforded additional illustrations of the working of the Jury Act. Here is one of the most remarkable. The Chairman, having been told by the jury that none of them had ever served before, explained to them carefully that they were bound to take the statement of the law from him, but were themselves to judge of the facts; and that if they believed that the prisoner assisted the other man to effect the robbery he was equally guilty. After the jurors had consulted for some time in the box, while the spectators in court watched their proceedings with great interest, one of them informed the Chairman and magistrates who sat with him that he had a doubt, as it was not the prisoner who took the money. The Chairman again explained the law and restated the evidence, calling the juror's attention to the fact that the purse was found under the seat where the prisoner and his companion were sitting. The juror replied, "But the train was in motion." The Chairman sent the jury to their room, and, after being locked up for some time, they came into court and handed in a verdict of guilty. The Chairman remarked that it was a very proper verdict, and then told them what he could not tell them before, that the other man had pleaded guilty and been sentenced to six months' imprisonment. One of the jurors, however, to his surprise, exclaimed, "I don't agree to that verdict. I don't think the prisoner is guilty." The issue paper was given back, and the jury, after being locked up for a considerable time, had to be discharged without agreeing to a verdict.

At the Marlborough-street Police Court a few days ago the question was raised whether a person who had neglected to take out his certificate for three years could be called a solicitor. The prisoner was charged with obtaining a gun on the false representation that he was a solicitor. A detective said he had been to the Law Institution and found a name corresponding to that of the prisoner on the rolls, but he could not say if it was the prisoner. No certificate had been taken out since November, 1869. Witness had not been to the Queen's Bench Master's Office to see if the prisoner's name was on the parchment roll. Mr. Knox said the question was, whether there had been a false pretence or not. The prisoner's name was on the rolls, but he had not taken out his certificate. Mr. Morris said without a certificate the prisoner could not practise, but he was still a solicitor. When a person's name was struck off the rolls it was struck off in red ink, and there was no evidence to show that this had been done. Mr. Knox asked whether the prisoner, having neglected to take out his certificate, was justified in calling himself a solicitor? Mr. Morris said he would be prepared to show that he was, and would produce a case heard by Sir John Romilly, Master of the Rolls, respecting that point. Mr. Knox was not sure of the law about the prisoner being a solicitor, not having taken out his certificate for three years, and remanded the prisoner. On the further hearing of the case, the charge of false pretences was abandoned.

The *Morning Post* states that Mr. Caleb Cushing, the counsel of the United States at the Geneva Arbitration, has published a work of 280 pages "On the Treaty of Washington, its Negotiations, Execution, and the Discussions relating thereto;" in which he describes the characteristics of the arbitrators in rather unusual language. Of M. Stämpfli, he is full of admiration, and says that "Good St. Beatus blessed the mountain labours of M. Stämpfli, and he came to Geneva in due time with full abstracts of evidence and elaborately written opinions on the main questions at issue before the tribunal, to the apparent surprise of Sir Alexander Cockburn, who, confidently relying on the rupture of the arbitration, as he himself avowed, had not yet begun to examine the cause, and seemed to suppose that everybody else ought to be as neglectfully ignorant of it as himself, which sentiment betrayed itself on various occasions in the sittings of the tribunal." His severest comments are reserved for Sir A. Cockburn, and he describes with great imaginative power the scene at the announcement of the decision of the arbitrators. "The instant that Count Sclopis closed, and before the sound of his last words had died on the ear, Sir Alexander Cockburn snatched up his hat, and without participating in the exchange of leave-takings around him, without a word or

sign of courteous recognition for any of his colleagues, rushed to the door and disappeared, in the manner of a criminal escaping from the dock, rather than that of a judge separating, and that for ever, from his colleagues of the bench. It was one of those acts of discourtesy which shock so much when they occur that we feel relieved by the disappearance of the perpetrator."

The Irish correspondent of the *Times* raises the question whether it is right or politic to apply the Whiteboy Act at all to such offences as came before the Court in Belfast. The Whiteboy code he remarks, "is an old engine of judicial power. There are two Acts popularly so-called, the 15th and 16th George III., which came into force in 1776, and the 1st and 2nd William IV. The Belfast indictments were under the latter. It gives hard measure to the prisoner, and by a subtle technicality deprives him of the constitutional right which he has under other Acts—namely, the right of challenge. The offence is called a transportable misdemeanour, and because it is not technically called felony the prisoner cannot challenge even the bitterest enemy whom he may see in the box, though if he be convicted he is liable to the highest penalty short of death which can be inflicted for felony. In the late trials under this Act the right of challenge was refused, and rightly so in point of law, and yet the Judge might have sentenced the prisoner to transportation for life. This is certainly an anomaly, if not a grievance which ought to be redressed."

In his address to the grand jury at the Cornwall Quarter Sessions, Sir Colman Rashleigh, the Chairman, expressed his disappointment at the fact that the Licensing Act had not had the effect which he had anticipated—of diminishing drunkenness in the county. He could not say it had increased drunkenness, because he thought the increase was owing rather to the general advance in the rate of wages of the working classes; but he hoped, if the Act were not found to be sufficiently restrictive in regulating the liquor trade and subduing the evil of drunkenness, a more stringent Act would be passed.

The *American Law Review* notices a rather novel case, lately heard before the Supreme Court in chambers. The defendant, Charles A. Clark, owner of a building in the city of Taunton, desired to move the same through the public highways to a new situation. He procured from the proper municipal authorities a licence for the removal, in the ordinary form, and entered upon the task. But at a certain point in the progress of the building, upon Broadway, the street was so obstructed by the overarching limbs of trees growing upon the sides of the way that it was impossible to continue the moving without cutting off limbs of considerable size. This the defendant was proceeding to do, when the city government, alarmed at the havoc and dreading the injury to the beauty of the street, warned him to desist, and, upon his refusing so to do, revoked his licence. He claimed his right to continue the removal, which he had begun in spite of this too tardy revocation. The city thereupon sought for an injunction in equity to restrain the defendant from prosecuting the work of removal. At a hearing in chambers, the Court gave the following decision:—"That under the ordinance the defendant on certain terms would have the right under a licence to move the building. This was, however, a favour or indulgence interfering with the ordinary use of the highway, which may be allowed on such conditions as may be required. The mayor and the board of aldermen were the judges of the reasonableness of such conditions. The highway is intended for ordinary travel. The occupation of it in the moving of buildings is inconvenient, though it may be legalized by licence. The licence under which the defendant acted was granted on the 15th of June. The board might revoke previous licences, and it appears that they did revoke them. It is objected that these trees are private property with which the city has nothing to do, and that if the owners of the trees are satisfied the city has no right to complain. But the statutes give the city such an interest in the trees that they may prevent by a suit in equity their removal or mutilation. Besides, some of the trees are on public ground and are the property of the city. The plaintiff has, therefore, a sufficient title to have a standing in court. It is immaterial whether the owners of the trees on Broadway permit it. The cutting off of large branches from trees is *prima facie* an injury to them which would be a violation of

the licence. The evidence shows that there was a ground to apprehend danger, which was sufficient to justify the bringing of the bill. In the application for such relief, no preliminary vote of the city council would be necessary. When there is probable cause and a reasonable apprehension of immediate injury, the mayor and aldermen may bring such suit. The plaintiffs have accordingly maintained the complaint." But the judge added that the temporary injunction at first granted must be modified in order to be sustained. And it was accordingly ordered—"That the injunction be so modified as to allow the defendant to proceed without delay to remove the building to its intended place, but this removal is to be performed under the superintendence and direction of William S. Cobb, of New Bedford, in such manner as not to mutilate, destroy, or materially injure any of the shade or ornamental trees in or near any street along which it may pass; and if the removal in the manner above described cannot otherwise be accomplished without doing injury as above set forth, the building may be divided into such sections as will admit of the proposed removal without material injury to the trees as above mentioned."

In the case of *Martin v. Robson*, the Supreme Court of Illinois decided a few weeks ago that since the passing of certain Acts giving to the wife, during coverture, the sole control of her separate estate, earnings and property acquired in good faith from any person other than her husband, the husband is not liable for the torts of the wife committed when he is not present, and in which he in no manner participated. The following eloquent passage from the judgment delivered by the Court may have some interest with reference to the pending legislation on this subject in our own country:—"His legal supremacy is gone, and the sceptre has departed from him. She, on the contrary, can have her separate estate; can contract with reference to it, can sue and be sued at law upon the contracts thus made; can sue in her own name for injury to her person, and slander of her character, and can enjoy the fruits of her time and labour, free from the control or interference of her husband. The chains of the past have been broken by the progression of the present, and she may now enter upon the stern conflicts of life untrammelled. She no longer clings to, and depends upon man, but has the legal right and aspires to battle with him in the contests of the forum; to outvie him in the healing art; to climb with him the steps of fame, and to share with him in every occupation. Her brain and hands and tongue are her own, and she should be responsible for slanders uttered by herself. Our opinion is that the necessary operation of the statutes is to discharge the husband from his liability for the torts of the wife during coverture, which he neither aided, advised nor countenanced."

REVIEWS.

Street's Indian and Colonial Mercantile Directory for 1873.
London: G. Street & Street Brothers. 1873.

This appears to be a very complete and carefully executed work. It contains the trade-returns, tariffs and population-tables relating to the various colonies, and also particulars of the various modes of communication with them. A kind of directory is also given, affording a classified list of trades and professions. Among these we find the legal profession generally represented. Thus it appears that at Moulmein there is a bar of five persons, which, by the way, we do not find noticed in the *Law List*. It seems also that Hong Kong possesses a Q.C., and a solicitor is to be found even at Yokohama. In the present edition information is given with reference to the chief Government offices in each town, and as to the different railways in operation or in course of construction.

Digest of the English Census of 1871. Compiled from the Official Returns, and edited by JAMES LEWIS, of the Registrar General's Department, Somerset House. Edward Stanford. 1873.

In this book Mr. Lewis has condensed into a very convenient form the leading facts contained in the two thick folio volumes of the published official returns of the recent census, and he has added much valuable information with reference to the manner in which the census is taken

the various administrative sub-divisions of the country, and many other matters of general interest. One section is devoted to a comparison of the past with the probable future growth of the metropolis. The writer thinks that the balance of probabilities indicates that "the population of London has seen its maximum rate of increase, and that we may reasonably expect the predictions of those sanguine writers who promise us a population of nearly 6,000,000 by the commencement of the twentieth century, to turn out very considerably above the mark."

The arrangement of matter in the book is convenient, and the tables are clearly printed. The author states that no effort has been spared to ensure the correctness of every figure throughout the volume.

The Law Magazine and Review. April. Butterworths.

In addition to articles calling for no special notice, this month's number contains an interesting and valuable paper by Mr. Fendall Currie, on Infanticide in India, a notice of Baron Channell, and an article on "Composite" Juries, by Mr. T. W. Erle, who sums up his views as follows:—

"That some special jurors ought to be impanelled 'for every trial' has been repeatedly urged by the highest authorities, and is in accordance with the constitutional theory of trial by jury, and with the practice which prevailed from the earliest times down to a recent date. The plan recommended by the Common Law and Judicature Commissioners for giving effect to this principle would, to a demonstrable certainty, be ineffectual for its intended purpose, and also prove occasionally mischievous. Some substitutive scheme is therefore required, not only for securing that the special juror element shall be an ingredient of every common jury, but, which is not at all less important, that it shall not be represented too strongly. It is therefore submitted that the plan for impanelling common juries which was suggested by the Juries Bill as originally introduced should be carefully and dispassionately considered; since, for anything which has yet been shown to the contrary, it is the only one which can, and must, assure to such juries the fixed quality which, on every ground of expediency, as well as in conformity with immemorial custom and the intention of the law, they ought to possess."

COURTS.

THE EUROPEAN ASSURANCE SOCIETY ARBITRATION.*

(Before Lord WESTBURY.)

Feb. 3.—*Re European Assurance Society, John Murgatroyd's case.*

Life assurance company—Register of shareholders—Husband and wife—Wife possessed of shares previous to marriage.

Where a woman, after having become possessed of shares in a joint stock company, marries, her name, conjointly with her husband's, should be put on the register of shareholders.

This was an application by the joint official liquidator of the European Assurance Society to amend the register of members of the Society, by inserting the name of John Murgatroyd, as a contributory in respect of 800 shares, which stood in the name of Ellen Elizabeth Littler, who had become the wife of John Murgatroyd. In the year 1863, Ellen Elizabeth Littler, who was then an unmarried woman, became the absolute owner and holder of 800 shares in the society, and on the 13th of May, 1866, she intermarried with John Murgatroyd—without having previously made any settlement, or agreement for a settlement, in any way affecting the shares. No intimation of the marriage was in any way given to or received by the society.

On the 12th January, 1872, the European Society was ordered to be wound up, and the name of Ellen Elizabeth Littler was placed on the list of contributories. Subsequently, however, the fact of her marriage was discovered, and the present application was made.

M. Cookson, for the joint official liquidator, said the only doubt in the matter was whether the name of the husband

only, or the names of both husband and wife, ought to be put on the register. Vice-Chancellor Knight-Bruce had considered in a case of this description that the proper course was to put the names of both upon the register, in order that the liability of the wife might survive to her after her husband's death. It might be doubtful, however, whether, in the event of her death in her husband's lifetime leaving separate estate, the liability would survive to her separate estate, as well as to her husband.

Lord WESTBURY said he thought it quite clear that the entry upon the register should correspond with the liability in an action at law. An action at law would be against the husband and wife. He thought, therefore, that the husband and wife conjointly should be put upon the register.

Solicitors, Mercer & Mercer.

COMMON PLEAS.

(Sittings in Banco before BOVILL, C.J., and GROVE, DENMAN, and HONYMAN, JJ.)

April 16.—*Hardwick v. Brown.*

This is a petition against the return at the late municipal election for the city of Newcastle, stated in the form of a special case, and its object is to decide the validity of the election of a gentleman who is now acting as town councillor of Newcastle.

F. M. White now moved to have the case advanced in the special paper on the ground that it involved the right to an office, and was so low down in the special paper that it could not come on for a long time. There was a precedent for this course in the case of *Ryder v. Hamilton* (reported as to the general question in 17 W. R. 795), in which the question was the validity of a Parliamentary election.

BOVILL, C.J., said that they could not, in justice to litigants whose cases had precedence, advance this particular case before theirs; but the Court would consider whether some arrangement could not conveniently be made with respect to all such cases as this. This particular case having been put into the special paper, it could not be granted precedence over those which of right stood before it.

Application refused.

BRISTOL ASSIZES.

(Before Baron PIGOTT and a Special Jury.)

April 10.—*Clifton v. Webley.*

This was an action for slander.

Cole, Q.C., and *Charles* were for the plaintiff; *Lopes, Q.C.*, and *Speke* for the defendant.

The plaintiff is a solicitor and attorney practising in Bristol, and in the course of his business he had occasion to act for the plaintiff in an action in which the present defendant was defendant. The action resulted in favour of the then plaintiff, and an affidavit of increase was filed by Mr. Clifton, in which he deposed that two of the witnesses who had been examined at the trial were surveyors, which would entitle them on taxation of costs to two guineas a day as expenses. On this affidavit Mr. Webley applied at Petty Sessions for a summons against Mr. Clifton for perjury, which was refused by the Bench. He gave notice to Mr. Clifton, and it was asserted that in order to secure publicity to the charge, the defendant had told the reporters of the local papers that he was going to make the application, and they accordingly attended, and the next day a long account was given in four local papers, with such headings as "Extraordinary Charge against a Solicitor." The defendant had declined to apologize, though he had suggested, in a letter which was characterized as insulting, a dinner for a reasonable number of people, at which he would pay for the dinner and the plaintiff should pay for the wine, and the parties should shake hands; but on finding he was required to pay the expense of the attendance of a solicitor for Mr. Clifton at the hearing before the justices and the costs incurred in this action, he declined to do so. The gentlemen named in the affidavit were called to prove that they were surveyors; and after some forcible remarks from the learned judge directed to the defendant, he apologized, and agreed to a verdict for the plaintiff for 40s., on the understanding that the plaintiff should be indemnified for all the costs he had been put to.—*Times.*

* Reported by W. Bousfield, Esq., Barrister-at-law.

COURT OF BANKRUPTCY.

March 21.—*Ex parte Robertson, re Robertson.*

A creditor cannot give a conditional assent to a resolution for a liquidation by arrangement under the 125th section of the Bankruptcy Act, 1869. If he does assent, and the resolution is duly registered, he is bound by it, and he cannot afterwards bring an action against the debtor jointly with a third person.

The Court restrained an action brought under these circumstances, without prejudice to any proceedings the creditor might take against the third person, and with liberty to make any application to the Court should it become necessary.

This was an application on behalf of John Brass Robertson, a debtor who had registered a resolution for a liquidation by arrangement under section 125 of the Bankruptcy Act, 1869, for an order restraining Edmund George Phillips from taking any further proceedings against the debtor in the action brought by him against the debtor and James Balliston in the Court of Queen's Bench, or upon the judgment recovered or execution issued therein.

The debtor, on the 24th January, 1873, presented a petition for liquidation of his affairs under the 125th and 126th sections of the Bankruptcy Act, 1869, and at the first meeting of creditors a resolution was passed for a liquidation by arrangement, and not in bankruptcy. One of the creditors by or on whose behalf such resolutions were filed was Mr. E. G. Phillips, to whom notice was sent of the meeting, and who attended the same, and proved his debt.

It appeared that previously to the 31st December, 1872, the debtor carried on business in co-partnership with Balliston, and on that day the firm was dissolved, and a deed of dissolution executed. Under the terms of that deed the debtor took possession of the partnership property, and notice of the dissolution was duly gazetted, and the names of Robertson and Balliston, which had previously been written on the sides of the front door of the business premises, were painted out. The debtor in his affidavit said that one of the terms of the dissolution of partnership was that Balliston should grant and assign to him all his share and interest in the partnership stock in trade and property, and the same was vested in him until the date of presenting his petition for liquidation. After the dissolution of partnership, and the publication of the notice thereof in the *London Gazette*, the debtor purchased from Phillips goods to the extent of £151 3s. 9d., and notwithstanding that Phillips had signed the resolution he had commenced proceedings against Robertson and Balliston in the Court of Queen's Bench, for the recovery of that amount.

In opposition to the application the creditor's solicitor made an affidavit in which he stated that he was present at the meeting of creditors held on the 17th of February; that the majority of the creditors then present refused to pass the resolution which had since been registered, and the debtor was accused at the meeting of contracting the debt due to Phillips by fraud, and also with having fraudulently dissolved his co-partnership.

T. N. Hilbery, in support of the application.—Mr. Phillips having proved has no right to take these proceedings, and the Court will grant a perpetual injunction. It is not a good equitable plea in bar to an action that the defendant has been adjudicated a bankrupt, or that the plaintiff has proved his cause of action under the bankruptcy: *Spencer v. Demett*, 14 W. R. 310, L. R. 1 Ex. 123. And there is nothing to prevent Phillips from filing a petition for adjudication, should it become necessary: *Ex parte Wieland*, 18 W. R. 616, L. R. 5 Ch. 486. The Court has a discretion in these matters: *Ex parte Mills, re Manning*, 19 W. R. 912, L. R. 6 Ch. 597; and where a creditor continued proceedings notwithstanding the registration the Court restrained him and ordered him to pay the costs: *Re Thorpe*, 21 W. R. 327, confirmed upon appeal *sub. nom. Ex parte Hartel*, *ib.* 428; *Ex parte Pooley, re Russell*, 18 W. R. 1013, L. R. 5 Ch. 724; *Ex parte Diack*, 2 Mont. & Ayr. 675.

Mr. G. R. Innes, junr. (solicitor), on the other side, contended that the Court would not restrain an action where the validity of the resolution was in issue. If the debt of Phillips were excluded from the computation, there would not be a sufficient majority.

Mr. Registrar BROUGHAM said this was an application to stay proceedings by a creditor who had proved his debt under a petition for liquidation, and had assented to the resolution registered under that petition. It was said that the creditor assented only because he wished to prevent some execution being of avail, but in his Honour's opinion there could be no such thing as a conditional assent. There was no suggestion that the majority of the creditors had not passed the resolution. If any objection existed in reference to the assents, or the signatures of creditors, that was a matter to be contested before registration, and no application having been made to set aside the registration, it must be considered that the resolutions were duly registered. The creditor who now desired to test the validity of the resolutions had not only proved his debt, but had signed the resolutions. If he had not assented, the case might have been different, but he had no right now to proceed with his action—his Honour thought he had shut himself out from doing so. The order would be to restrain the action, without prejudice to any proceedings Mr. Phillips might be advised to take against Mr. Balliston, and with liberty to make any application to that Court that might be necessary.

Solicitor for the applicant, F. W. Hilbery.

Solicitors for Mr. Phillips, G. R. Innes & Co.

GENERAL CORRESPONDENCE.

THE LAWYERS AND THE PUBLIC IN 1873.

Sir,—I was unable to attend the recent meeting of Mr. C. E. Lewis, M.P., at Guildhall, on the subject of stimulating to greater activity and usefulness that most respectable but very inefficient institution known as the Incorporated Law Society; but if I had been present I intended to have proposed a somewhat more definite course of action than, as I understand, has as yet been settled by his committee, and perhaps I may be permitted, though the medium of your paper, to indicate the heads of objects, which I venture to think should be sought in order to place lawyers—by which expression I mean barristers as well as solicitors—on a more satisfactory footing in relation to each other, and to the public at large, than they at present occupy.

I am not the least aware whether my views or any of them are shared by the committee referred to, and I express them entirely on my own responsibility. The ultimate object should, I suggest, be to remove the present artificial and needless distinction between the two branches of lawyers. I am not now proposing to discuss the expediency of amalgamating these two classes in the sense of making every attorney a barrister and every barrister an attorney (though I think it probable we may gradually come to it, and that too without a revolution), but I am for making one high degree of proficiency to be conferred by a law university upon *examination only*—as was, I think, proposed by the present eminent Chancellor, the single and essential qualification to practise in law either as barrister or attorney, as the student might himself desire, and by the mere exercise of his own will, transpose his position precisely as he should think best. And notwithstanding that it is the "right thing" with judges and barristers to bestow, in stereotyped phraseology, the advantages of the present double service to the suitor, I venture to suggest that the public (who in the present day take the liberty to think a good deal for themselves) are of a totally contrary opinion: and seeing that in theory lawyers of either class exist only for the public service, anything which impedes the operation of well considered views entertained by a very large proportion of the thinking public should merit attention by lawyers, even in their own interest, to say nothing of the public good.

To this end a rectification of the relations in which the barrister stands in reference to the suitor, and which barristers and solicitors occupy towards each other, should I think, take place, that in reference to the suitor the barrister shall be placed, as regards the law of contract, upon precisely the same footing as that of any other person undertaking for reward, special and scientific duties; and as a result that when the service undertaken, and for which he has been paid, is utterly neglected—as every one is quite aware is too frequently the case—he should like any other person be made liable to the con-

sequences. It is no less immoral than absurd (and not less strange than true) that in any civilized community like our own, it can be possible for any man to receive and retain payment for the performance of services, which he may *fulfill or totally disregard, as he pleases.*

It would probably result from these changes as follows:—

(1) As regards the barrister he would have a free course and scope for the exercise of brain and industry, instead of being fettered and burthened by a complete code and heavy load of almost childish etiquette, having no useful object, and acting only as an impediment to useful advancement.

(2) As respects the solicitor, he would be free from the odium and positive injury which he has very frequently to suffer, in consequence of the neglect, disregard, or total indifference of counsel to the interests confided to him: long habits and lax notions of right, permitting counsel (frequently instructed because of particular talent for special duties) to hand over his brief to any other barrister, learned or unlearned, just as he pleases, and yet to retain the fee!—a thing of every day occurrence. (3) And with reference to the public the beneficial consequence would be, that the suitor could secure the best services available, with the certainty of having the benefit of the particular ability and experience he has paid for, or having his claim for damages, as an alternative.

It would follow as a necessary consequence that the present anachronistic, irresponsible, and utterly indefensible control, by benchers of the Inns of Court, should be wholly displaced. The system now tolerated is nothing more nor less than a high class trades union, as unreasonable and as mischievous as any of those which assume to exercise the self-interested power to regulate the industry, and dictate the earnings, of the mechanic in the present day; and which is as inimical as they are to freedom of thought and action.

This is intentionally, but a mere outline of a large subject; and I know very well that there is a large and somewhat powerful class to whom the views I express will be unpalatable; but I also know—after many years of active professional intercourse and experience—that they are shared not only by a great multitude outside the profession of the law, but also by not a few (of both branches) within.

G.

STAMPS ON CONVEYANCES.

Sir,—Is 10s. per cent an unreasonable tax on transfer of land? It is the same as on railway shares, &c., and till within a few years it was double that amount. In France it is over £5 per cent. The complaint of legal expenses on conveyances does not apply to large purchases, and an abolition of the *ad val.* stamp would afford little relief in small ones. We all know that the costs of a purchase under £500 frequently exceed those of one of £5,000 or £10,000, exclusive of the stamp. This is the grievance. We cannot transact the business of the small purchase, as a broker can, for a few shillings, and we are not necessarily compensated, as he is, by a large purchase.

J. M.

Lincoln's Inn.

THE LAW OF CONSPIRACY.

Mr. FitzJames Stephen, Q.C., has addressed a long letter on this subject to the *Pall Mall Gazette*, from which we make the following extracts:—

The vagueness of our early criminal law upon the whole subject of misdemeanours is one of its most striking characteristics. Going back to very early times indeed, instances may be found in abundance (see, for instance, Madox's "History of the Exchequer") in which fines and amerciaments were imposed in respect of official irregularity or civil injury. Thus Walter Croc "est in misericordia regis. . . . de xxxs. quos injuste cepit et non reddidit;" and Hubert the Smith was fined a marc "for falsely claiming to be a free man whereas he was a clown." It would almost appear, indeed, as if at one time the distinction between a civil wrong and a criminal offence was so vague and the courts were so powerful that under one name or another almost any act which was not according to law might be treated as criminal. As time went on the law gradually became very much more definite, and the more serious crimes have been reduced to approximate certainty, though in a sufficiently cumbrous way, as

any one may see who cares to consult the ordinary text-books in order to discover what is meant by theft or murder. Much, however, of the old obscurity and vagueness hung, and still continues to hang, over the subject of misdemeanours. Such names as nuisance, conspiracy, and libel were applied to particular cases as they arose with more or less reference to the circumstances of the times, and to the state of feeling among those who administered the law. Oddly enough, conspiracy was the very first crime which was ever defined by statute, and I am not aware that any common law offence except high treason has ever been defined by statute since. The definition is contained in 33 Edw. 1, st. 2 (A.D. 1305), and is as follows:—

"Conspirators be they that do confeder or bind themselves by oath, covenant, or other alliance that every of them shall aid and bear the other falsely and maliciously to indite or cause to indite, or falsely to move or maintain pleas; and also such as cause children within age to appeal men of felony, whereby they are imprisoned and sore grieved; and such as retain men in the countries with liveries or fees for to maintain their malicious enterprises, and this extendeth as well as to the takers as to the givers, and stewards and bailiffs of great lords which by their seignory, office, or power undertake to bear or maintain quarrels, pleas, or debates that concern other parties than such as touch the estate of their lords or themselves. This ordinance and final definition of conspirators was made by the King and his Council in his Parliament the thirty-third year of his reign."

This was levelled at an abuse which perverted the whole course of justice, and frequently produced disturbances bordering on civil war—the banding together of the nobility and their tenants against each other, either by perverting the course of justice or by violence. When a powerful man wanted to dispose of his enemy by the help of his tenants and other dependants, he could either prosecute him maliciously in some of the criminal courts (which had then some of the characteristics of popular assemblies) or attack him with the strong hand. In either case the parties had "to confeder or bind themselves" together. Lingard tells us that in 1321 "an indenture binding the parties to prosecute the two Spensers, father and son, till they should fall into their hands or be driven into banishment, and to maintain the quarrel to the honour of God and Holy Church and the profit of the King and his family, was signed on the one part by the Earl of Hereford and the lords of the Marches, on the other by the Earl of Lancaster and thirty-four barons and knights." This was a conspiracy within the express words of the statute, and affords a complete illustration of the nature of the offences which it was intended to prevent.

I will not trouble your readers by referring to the scattered indications as to the nature of the offence which are to be found in the early writs of conspiracy and other matters now obsolete, but I may observe that the offences at which the statute of Edward was levelled formed the most important item in the jurisdiction of the Court of Star Chamber, as defined by 3 Henry 7, c. 1. The preamble of that statute recites that "by unlawful maintenances, giving of liveries, signs and tokens, and retainers, by indentures, promises, oaths, writings, or otherwise ombraeries of his subjects," &c. &c., "by great riots and unlawful assemblies the policy and good rule of this realm is almost subverted." The statute then proceeds to erect the Court of Star Chamber, in order to deal with such cases. Of the manner in which the Star Chamber amplified its jurisdiction it is needless to speak, but it is worth while to remark that its mode of procedure was to prosecute for misdemeanours, and that the extreme vagueness of the law enabled it to do so with great effect.

One of its decisions (the Poulterers' case) first established the doctrine that an agreement to commit a conspiracy as defined by the statute of Edward I. was itself a misdemeanour, although no overt act of maintenance or the like followed upon it—a decision which, I think, the words of the statute would warrant. Be this how it may, much of the present law consists of an expansion of this principle and its application to other offences than the crime of conspiracy as defined by the Act of Edward I.

The doctrine that acts highly immoral or mischievous might be treated as crimes, though they fell under no re-

cognised head of criminality, had much influence both with the Star Chamber and with the King's Bench. It is needless to illustrate this with regard to the Star Chamber, but I am obliged to a friend for the following curious illustration of it in regard to the Court of King's Bench. In 1616 that court resolved that "to this court belongs authority not only to correct errors in judicial proceedings, but other errors and misdemeanours extra judicial tending to the breach of the peace or oppression of the subjects, or to the raising of faction, controversy, or debate, or any manner of misgovernment; so that no wrong or injury, either public or private, can be done, but that it shall be reformed or punished in due course of law." After the abolition of the Star Chamber this claim was put forward very emphatically in the famous case of Sir Charles Sedley, who was fined and imprisoned for gross acts of profanity and indecency. In his case the court said "that notwithstanding there was not then any Star Chamber, yet they would have him to know that the Court of King's Bench was the *custos morum* of all the King's subjects." This principle was applied in the reign of George I. to the punishment of Curll, the bookseller, who was pilloried for publishing an obscene libel. One of the judges said that he "inclined this to be punishable at common law as an offence against the peace, intending to weaken the bonds of civil society, virtue and morality." This principle has been applied in some other cases. It illustrates sufficiently for my present purpose a proposition which might be abundantly illustrated from other sources, namely—that down to comparatively modern times the courts of law exercised a very wide discretion in determining that large classes of acts were criminal, not because they were breaches of any specified law, but because they were highly mischievous to the public.

Gradually, however, the combination of this principle with the doctrine established by the Poulterers' case has given us the law of conspiracy, as we know it, by steps which it would be tedious to trace out in detail. This law is that all combinations of two or more persons for an unlawful purpose are themselves criminal. I use the ambiguous word "unlawful" designedly. It marks one of those gradual and unnoticed changes in the law which lawyers only have an opportunity of observing, and which are not always observed by them. The courts by degrees have elaborated a result which might have been called a compromise if it had been arrived at by express negotiation between independent persons. Its terms are that, on the one hand, isolated acts of wickedness or vice shall not be treated as crimes, and that, on the other, combinations for a wicked purpose shall be treated as crimes though the act to be done would not be a crime if done by an individual. The law during the eighteenth and nineteenth centuries has no doubt widened in one direction, but it should be remembered that it has been narrowed in another. Most of the acts which it would now be a conspiracy to combine to do would have been treated as crimes if done by individuals in the sixteenth or seventeenth century.

Without insisting upon details, the general result of the decisions of the last two hundred years has been to comprise under the head of conspiracies combinations for any of the following purposes:—

1. The perversion of the course of justice.
2. The commission of crimes.
3. The promotion of political disturbances.
4. Fraud.
5. Immorality.
6. The restraint of trade.
7. The injury of individuals by means other than fraud.

There are besides certain statutory conspiracies into the particulars of which I need not enter, though the subject is important and little understood. Those who are curious on the subject may be referred to 37 Geo. 3, c. 123, 39 Geo. 3, c. 79, and 57 Geo. 3, c. 19, in which they will find matter which may not improbably surprise them.

Such being the history and the general outline of the law of conspiracy, the next question is as to its merits. It is complained of on two distinct grounds. The first is that the law permits a conspiracy to do an act to be punished more severely than the act itself. The second is the general ground of its vagueness. I will consider these matters separately. The first arises thus: Conspiracy being treated as a substantive offence, irrespectively of the nature of the act conspired to be done, falls into the general class of misdemeanours, and is punished as such. This, no doubt, is an anomaly, and though I can imagine cases

in which the conspiracy to commit an offence might be more dangerous and more criminal than the offence itself, such cases are not common, and should, if necessary, be specially provided for.

As to the complaints made of the vagueness of the crime, it is necessary to discriminate. The law as to conspiracies to commit crimes is neither more nor less vague than the general criminal law, and it can be made distinct only by making the criminal law itself distinct in places in which it is at present indistinct. To do this thoroughly it would be necessary to have a penal code, which I think would be both desirable and possible, though it is an expensive undertaking.

Mr. Stephens next discusses the question of the vagueness of the law relating to conspiracies for the perversion of justice, political conspiracies and fraudulent and immoral conspiracies, and adduces considerations which in his opinion show that a certain degree of vagueness in this branch of the criminal law can hardly be avoided and is not an evil. Mr. Harrison's letter to the *Times* admits this, and he confines his complaint to the vagueness of the law of conspiracy as it affects strikes. I agree with him that the law upon that subject is far from being satisfactory. I will state as shortly as I can what I understand it to be. Down to the statute 6 George 4, c. 129, every combination to affect the rate of wages was regarded as a conspiracy, though it admits of much argument whether this was by virtue of a principle of the common law or because the old combination laws then in force made the objects of the combination criminal in themselves. The statute 6 George 4, c. 129, both narrowed and extended the limits of the criminal law. It narrowed them by permitting combinations for the purpose of regulating wages. It extended them by subjecting various forms of intimidation and molestation to special penalties, whether practised by individuals or by combinations of individuals. The Criminal Law Amendment Act (34 & 35 Vict. c. 32) considerably enlarged the exceptions to the common law contained in the 6 George 4, c. 129, by taking conspiracies for the restraint of trade altogether out of the list of crimes, and by defining threats, intimidation, molestation, and obstruction much more narrowly than the 6 George 4, c. 129. Using popular language, the result of the Common Law and the Criminal Law Amendment Act together is this:—Conspiracies in restraint of trade are not criminal as such unless their object is to compel masters or workmen to do or not to do certain specified acts either by violence or threats of violence to person or property, or by picketing or by rattening.

Such being the present condition of the law, I come now to the question of its improvement. This may be effected in two ways—namely, the codification of the law as a whole, and its amendment. I fear that our prospect of an English Penal Code is very remote, and I must say that the law of conspiracy is the part of the criminal law which should be codified last. As it stands it is an awkward and unsightly but in some respects highly convenient patch upon an old and ragged garment. The law relating to political offences, to cheating, and to intimidation ought to be put into a much more definite condition than they are in at present before the law of conspiracy which patches up their defects can be safely repealed. It is sometimes said that conspiracy ought to be regarded in the light of an act of abetment and punished as such, whether the act abetted is actually done or not. The provisions of the Indian Penal Code would constitute a precedent, though not quite a complete one, for this mode of treating the subject. This would no doubt be a convenient course if the criminal law itself were complete, but, as I have shown, that is not and is not at present likely to be the case. If any one wishes to appreciate the importance of this remark, I would recommend him to consider the provisions of the Indian Penal Code on false evidence and offences against public justice (secs. 191-229); offences against the state (secs. 121-130); cheating (secs. 415-20); and intimidation and insult (secs. 504-10); and to compare them with the criminal law of this country, conspiracy being omitted. I think, however, it might very probably be provided, as a general rule, qualified, if necessary, by special exceptions, that no conspiracy to commit any offence should be punished more severely than the offence itself might have been punished

if committed. This would entirely meet one of the complaints against the present law.

It is more difficult to deal with the complaint that the punishment of conspiracies to injure individuals by means not fraudulent diminishes the importance of the limited legalization of strikes by the Criminal Law Amendment Act. I do not say it would be impossible, but it would certainly be very difficult, to devise words which would legalize the amount of annoyance which is inseparable from a strike, and which would not legalize those miscellaneous indefinite ways by which a number of persons may oppress and even ruin individuals which I have referred to. I am however disposed to think that in practice there would be no very great danger in limiting the law of conspiracy as to acts directed against individuals to cases in which the object was to be effected by the perversion of the course of justice, crime, and fraud, the law relating to conspiracies affecting the public at large being left as it stands at present.

PUBLIC COMPANIES.

GOVERNMENT FUNDS.

LAST QUOTATION, April 17, 1873.

3 per Cent. Consols, 93½	Annuities, April, '85 93½
Ditto for Account, May 3, 93½	Do. (Red Sea T.) Aug. 1908 104
3 per Cent. Reduced 92½	Ex Billa, £1000, — per Ct. par
New 3 per Cent., 92	Ditto, £300, Do — par
Do. 3½ per Cent., Jan. '94	Ditto, £100 & £300, — par
Do. 2½ per Cent., Jan. '94	Bank of England Stock. 4½ per
Do. 5 per Cent., Jan. '73	Ct. (last half-year) 245
Annuities, Jan. '80 —	Ditto for Account.

INDIAN GOVERNMENT SECURITIES.

India Stk., 10½ p Ct. Apr. '74, 205	Ind. Inf. Pr., 5 p Ct., Jan. '73
Ditto for Account.	Ditto, 5 per Cent., May, '79 105
Ditto 5 per Cent., July, '80 110½	Ditto Debentures, per Cent.,
Ditto for Account.	April, '64 —
Ditto 4 per Cent., Oct. '88 104½	Do. Do. 5 per Cent., Aug. '73 101
Ditto, ditto, Certificates, —	Do. Bonds, 4 per Ct., £1000
Ditto Enhanced Ppr., 4 per Cent. 97	Ditto, ditto, under £1000

RAILWAY STOCK.

Railways.	Paid.	Closing Prices.
Stock Bristol and Exeter	100	112
Stock Caledonian	100	98
Stock Glasgow and South-Western	100	127
Stock Great Eastern Ordinary Stock	100	42
Stock Great Northern	100	123
Stock Do, A Stock	100	140
Stock Great Southern and Western of Ireland	100	115
Stock Great Western—Original	100	124½
Stock Lancashire and Yorkshire	100	150½
Stock London, Brighton, and South Coast	100	75½
Stock London, Chatham, and Dover	100	23½
Stock London and North-Western	100	145
Stock London and South-Western	100	106
Stock Manchester, Sheffield, and Lincoln	100	80½
Stock Metropolitan	100	70
Stock Do, District	100	32½
Stock Midland	100	137½
Stock North British	100	69
Stock North Eastern	100	163
Stock North London	100	118
Stock North Staffordshire	100	70
Stock South Devon	100	73
Stock South-Eastern	100	106½

* A receives no dividend until 6 per cent. has been paid to B.

MONEY MARKET AND CITY INTELLIGENCE.

The Bank rate of discount has not been altered, although the proportion of reserve to liabilities is under 33 per cent.

Before the recommencement of business after the holidays there was a slight advance in railway stocks, which on Wednesday reached 1 per cent. in North Eastern, but this was not maintained on Thursday. In the foreign market there has been no very material change except in Spanish, which have fallen heavily, owing to reports of the difficulties of the Ministry.

A prospectus has been issued of the Railway Share Trust Company (Limited), with a capital of £2,000,000, in 100,000 shares of £20 each, to be issued £1,000,000 in A, or ordinary shares, and £1,000,000 in B, or preference shares, with 200 founders' shares of £1 each. The directors are the same as those of the Railway Debenture Trust

Company. The B shares are to be fully paid up, and will bear a fixed preferential interest. They will never exceed the number of A shares for the time being issued, and on which one-half will have been paid up. The A shares will thus give a practical guarantee for the punctual payment of the interest on the B shares. The investment of all capital is limited to approved shares or securities of railway companies, or to an extent not exceeding one-fourth of the whole, of other undertakings, but no more than one-tenth of the amount raised is ever to be invested in any one security. The prospectus adds—The Railway Share Trust Company, combined with the Railway Debenture Trust Company, will thus give the investing public the choice of three descriptions of investment to which they are already accustomed in the case of British railways:—1. Debentures, for those who seek the highest form of security; 2, preference shares, for those who, in like manner, desire a fixed and practically secure investment equivalent to that afforded by good preference stocks of British railways; 3, ordinary shares, subject to the ordinary fluctuations of such property, but holding out every prospect of a high and rapidly increasing average return. The shares are quoted 1 to 1½ prem.

A prospectus has been issued of the Floating Swimming Baths Company, with a capital of £100,000, in shares of £2 each, of which it is not anticipated that more than £1 per share will be called up during the first year. It is stated that the sanction of the Lords Commissioners of the Treasury, the First Commissioner of Works, the Conservators of the River Thames, and the London Swimming Club, has been obtained for the erection of floating baths, which will secure to the public great facilities for bathing and swimming. The first bath is to be stationed off Somerset House, and will be 360 feet long, forty feet broad, and four to ten feet deep. Season tickets are to be issued to shareholders at reduced rates. The baths to be stationed opposite Somerset House will accommodate 200 bathers at one time—besides forty-eight hot and cold private baths. We need hardly point out what a convenience these baths will be found to the numerous class of residents in the Temple. The cost of these baths is not to exceed £40,000, whilst the net profits are estimated at £12,316 per annum, exclusive of the revenue expected to be derived from the rentals of the refreshment-rooms and advertising.

A meeting was held on Thursday of the Prudential Assurance Company, when the report and accounts were adopted. During the year 1872 the premium income in the Ordinary Branch amounted to £62,795, in respect of 11,951 policies, assuring £1,952,091, or £2,126, in excess of 1871; while the claims were £43,891, under 282 policies. In the Industrial Branch the premium income for the same period amounted to £364,946, showing an increase of £76,725, compared with the previous year; while the claims represented £104,011. The total premium income is thus £427,742, or an augmentation of £78,766, being the largest accession to income during any year of the company's operations.

VICE-CHANCELLOR WICKENS' COURT.—At the adjournment of the court in the middle of the day on Thursday, his Honour announced that, in consequence of there being considerable arrears of business in chambers, he intended, if it would meet the convenience of the bar, to sit until two o'clock on Tuesday and Friday in each week, when the Court would rise, and he should attend chambers at half-past two punctually. Mr. Greene, Q.C., said the proposed arrangement would be very convenient.

THE JUDGES' LODGINGS AT LIVERPOOL.—Mr. Justice Archibald is suffering from a serious illness, "the result of miasma at his lodgings in that town." These lodgings are at Newsham-house, Newsham-park, the same as are usually occupied by the judges during their stay in Liverpool. It appears that during previous assizes judges have complained of disagreeable smells, and that the drains are out of order.

CHARGE AGAINST A LIVERPOOL SOLICITOR.—The Liverpool papers report that a warrant has been granted for the apprehension of Mr. Robert Heaton, solicitor, of Dale-street, for the detention of papers and books, the property of Margaret Egen, a widow, and for assaulting Charles Hogg, a brother-in-law of the first complainant.

COURT PAPERS.

COURT OF CHANCERY.

CAUSE LIST.

Sittings for Easter Term, 1873.

Before the LORD CHANCELLOR and LORDS JUSTICES.

Appeals.

- Hendrie v The Lea Bridge District Gas Light & Coke Co., *limd.* The Same v The Same by original & supplemental bill (R.—13 Feb.)
 Robinson v Grave (W.—19 Feb.)
 Sharpe v San Paulo (Brazilian) Ry. Co., *limd.* (R.—21 Feb.)
 Hunter v Cheshire (M.—22 Feb.)
 Henshall v Fereday (R.—26 Feb.)
 Noble v Willock. (B.—26 Feb.)
 The Midland Ry. Co. v The Great Western Ry. Co. (R.—27 Feb.)
 Inglis v Pasco (W.—1 Mar.)
 Thorpe v Brumfitt appl. of deft. Ellis Brumfitt & anr. (R.—8 Mar.)
- Thorpe v Brumfitt appl. of deft. T. Stead (R.—12 Mar.)
 Moxon v Payne (M.—12 Mar.)
 Milward v The Redditch Local Board of Health (R.—19 Mar.)
 Trumper v Trumper (B.—20 Mar.)
 Binney v Feldtmann (W.—21 Mar.)
 Hill v Wilson (M.—25 Mar.)
 In re Webb's Estate, and Webb v Jones (R.—25 Mar.)
 Broad v Huxley (M.—25 Mar.)
 Parker v Lewis appl. of defts. J. H. Lewis and anr. (M. 27 Mar.)
 Parker v Lewis appl. of defts. Sir J. N. McKenna (M.—27 Mar.)
 Blackman v Cornish (M.—4 April.)

Before the MASTER OF THE ROLLS.

Causes, &c.

- Blenkarn v Berry demr of deft. Wm. Berry
 Hay v Bates cause, wits (day to be fixed)
 Vickers v McEwen c
 Miller v Miller m d
 Clowes v Hogg cause, wits, day to be fixed.
 Wood v Wood m d
 King v Dixon c
 Prichard v Collette c, with wits (day to be fixed)
 Collette v Prichard c, with wits (day to be fixed)
 Patrick v Gye m d, wits before examiner
 Hay v Huggins m d, examination of wits in court, by order
 Boyle v Sawyer m d, wits before examiner
 Ridgway v Ridgway 1868.—R.—49 c, not before 1 May, by order
 Ridgway v. Ridgway 1868.—R.—145 c, advanced by order
 Ballinger v Philipps cause, wits (day to be fixed)
 Twist v Herbert m d
 Saltmarsh v Hardy m d
 Morgan v Gronow f c
 Potter v Duffield m d
 Fothergill v Baghott m d
 Warton v Bishop f c
 Walters v Woodbridge m d wits before examiner
 Taylor v Taylor m d
 James v Love f c
 Rowley, Bart., v Loft f c
 Borrell v Barr cause, pro confesso against sole deft
 Cooper v Godfrey m d, wits before examiner
 Farrer v St Catherine's College Cambridge f c
 Hilliard v Fulford m d
 Pinder v Barlow m d
 Farrar v Martin m d
- In re Chas. Hulme's Estate and Hulme v Hesketh f c
 Hollier v Burne f c
 Buchan v Buchan f c
 Browne v Freeman m d
 Arrowsmith v Joberns c, evidence viva voce (day to be fixed)
 Forwood v. Lloyds m d
 Hickman v Bentley f c
 Grosvenor v Bentley f c
 Hermann v Hodges m d
 Thomson v Hallett m d
 In re Heary Waller's Estate and Mower v Beavan f c
 Hilliard v Gregson m d
 Wilkinson v Joberns m d
 Ross v Lloyds m d, wits before examiner
 Branner v Carne f c, & sums to vary
 Gay v Ware m d
 Russell v Clitherow m d
 Hunter v Watson m d
 Fritchley v Inett m d
 Skiller v Haisman f c
 Moy v Mackeson m d
 Morgan v Morgan f c
 Fiske v Bond m d
 Cooper v Macdonald f c
 Barneby v Jordan m d
 Mildon v Mudford f c
 Harris v Frederick f c
 Thomas v Meader m d
 Morris v McMurdo m d
 The Law Reversionary Interest Society v Stuart m d
 Ashman v Blackstock f c
 Farquhar v Hankey f c
 Robinson v Spence m d (short)
 Wieland v Taylor m d
 Bryan v Cowdal m d
 The Prudential Assurance Co. v. Leyland f c
 Pulbrook v Pulbrook f c
 The Syndicate Union, *limd.* v. Oppenheimer m d

Before the Vice-Chancellor Sir RICHARD MALINS.

Causes, &c.

- Smith v Buller m d, pt hd
 Douglas v Shearburn m d pt hd (April 22)
 Loder v Eldridge demr
- Wilshin v Wavell exons for insuffcy
 Rosher v Williams exons for insuffcy

- Lady Wentworth v Lord Wentworth exons for insuffcy
 The Banco Commercial v The Commercial Bank of the River Plate, *limd* demr
 Roberts v Buco demr
 Kerry v Housley demr
 Attorney-General v Borough of Folkestone demr
 Morley v White plea to whole bill
 Armitage v Armitage case on appeal from Yorkshire Cnty Court
 Sidney v Sidney c, with wits
 Charlwood v Cornelius c with wits (day to be fixed)
 Buchanan v Cadell c, with wits
 British & American Telegraph Co. (Limited) v Colquhoun, Bart. m d
 Trade Auxiliary Co. (Limited) v Vickers m d
 Wright v Gabriel m d
 Stokes v Jennings m d (re-transferred from M R by order)
 Lewin v Lewin f c
 Denny v Morris m d (re-transferred from M R by order)
 Smart v Walsh sp c
 Smart v Bremner sp c
 Bide v Harrison sp c
 Maxwell v Maxwell m d
 Caldicott v Smith (Satchwell v Smith) m d
 Beale v Atchley c
 United Land Co., *limd.* v Great Eastern Ry. Co. m d
 Davies v Howells m d
 Prescott v Barker sp c
 Maynard v Eaton c, wit (day to be fixed)
 Melrose v Mounsey c
 Raggett v Findlater m d
 Lloyd v Jones m d
 Thomas v Aaron f c
 Saunders v Knight-Bruce m d
 Wood v White f c
 Fray v Jones c
 Pidsley v Pidsley c
 Hawks v Longridge sp c
 Countess of Egremont v Thompson f c
 Hanson v Leighton m d
 Sheard v Sheard m d
 Harvey v Horry m d
 Smith v Truscott m d
 Curtis v Bristol Port & Channel Dock Co. m d
 Ayerst v Jenkins m d
 Godfrey v D'Avigdor m d
 Jackson v Adams m d
 Tickle v Kelsall f c
 Pooley v Foster, Bart., cause wits (day to be fixed)
 Cope v Evans f c
 Hards v King cause, with witnesses (day to be fixed)
 Digby v Ward m d
 Grover v Foster, Bart f c & sums to vary
 Freke v Lord Carbery m d
 Candy v Candy m d (re-transferred from M R by order)
 The Nowgong Tea Co. of Assam, *limd.*, (by Official Liquidator) v Barry c (not before May 6)
 Croaker v Standing m d
 Newbolt v Wright f c
 Simey v Edwards m d
 Hunt v Ingledew m d
 Fortune v Thompson c and sums. wits (day to be fixed)
 Beckerley v Beckerley m d
 Innes v Mathias m d
 Wilt & Berks Canal Navigation Co., v Swindon Water Works Co, *limd* m d
 Talbot v Bentley f c
- Francis v Wade f c
 Burgess v Bennett m d
 Fane v Fane c
 Boatwright v Boatwright c
 Alexander v Gage f c
 Perren v Russell m d
 Rickards v Arabin f c and sums
 Marler v Tommas m d
 Chambers v Saffery m d
 Scott v Laver m d
 Lewis v Musgrove m d
 Hamilton v Nott c
 Neal v Pearce m d
 Power v Williams m d
 Tretbewy v Holyar m d
 Hadwen v Kenworthy m d
 Thomas v Thomas m d
 Chambers v Chambers m d
 Crawford v Higgs f c
 Retallick v Huxham c
 Cameron v Leyland c
 Salmon v Brooks c, with wits (day to be fixed)
 Wood v Wood m d
 Rowlandson v Mercer m d
 Murrell v Ferryman c, with wits (day to be fixed)
 Chamberlain v Terrell m d
 The Comptoir D'Escompte de Paris v The Consolidated Bank (*limd*) c, wits (day to be fixed)
 Sidney v Sidney m d
 Forbes v Wood f c
 Gibson v Woodruff c wits (day to be fixed)
 Mayor, &c., of Hastings v Ivall c
 Izod v Power m d
 Manley v Martin m d
 Emson v Saffron Walden Railway Company f c
 Greenwood v Blackburn f c
 Clarke v Clarke m d
 Somes v Renton m d
 Hill v Fry m d
 Hayne v Hayne m d
 Graesser v Crowther c
 Blakey v Rusworth sp c
 Harrop v Harrop f c
 Kenworthy v Coffin m d
 Faulkner v Kershaw c and demr.
 Mair v Mair m d
 Wynne v The North Staffordshire Ry. Co. m d
 Overend, Gurney and Co. *limd.* v. Brott m d
 Hodges v Wieland m d
 Outin v Heathcote m d
 Larkins v Phipps m d
 Falkner v Somerset and Dorset Ry. Co. m d
 Parkinson v Chester f c
 Cruickshank v Bland c
 Stevenson v Wharton f c & sums to vary
 Rice v Castle m d
 In re Watson's estate, and Watson v Woolley f c
 Steers v Eveleigh c
 Thompson v Clarke f c
 Hood v Franklin f c
 Avis v Avis m d
 Yardley v Holland m d
 Gordon v Chambers m d
 Baker v Wilbraham m d
 Graham v Winterson case on appeal from Newport County Court
 Hall v Harland m d
 Heron v Davey m d
 Brown v Towell c, with wits (day to be fixed)
 Carding v Potts m d
 Gallagher v Fleming c
 Jones v Habershon m d
 Towell v Brown c, with wits (day to be fixed)
 Ellen v Barkley 1867, E. 24, f c

Ellen v Barkley 1867, E. 25, f c
 Wylam v Watts m d
 Freeman v Mathieson f c
 Rudge v Bennett c
 Ramia v Taylor m d
 James v James m d
 Healey v Borough of Batley m d
 Latham v Chartered Bank of India, China and Australia m d
 Pickering v Gray m d
 Booth v Turlie case on appeal from Bromley County Court
 Lewis v D'Avigdor m d
 Turner v Rennoldson case on appeal from North Shields County Court
 Pickering v Chadwick m d
 Carter v Henstridge m d
 Countess de Palatiano v Hartley m d
 Bell v London & South-Western Bank, limd. m d
 Gott v. Gott m d
 Bresson v Maynard m d (short)
 Swain v Swain m d
 Schank v Scott, Bart m d
 Roper v Van Staubenze c
 Cross v Hodge f c
 Whitehead v Collins m d (short)
 Bain v Percy m d
 Dixon v Fiske m d
 Horn v Buckley f c

Before the Vice-Chancellor SIR JAMES BACON.

Causes, &c.

Parker v Parker m d
 London and North Western Railway Company v Greenbank Alkali Company (lim) m d (S.O.) by consent
 Griffin v Coleman m d
 Greenhalgh v Rumney (3 causes) f c and sums to vary
 Smith v Adlard c, wits April 18
 James v Jones f c and sums to vary & petn (S.O.)
 Williams v Financial Corp'n limited c, with wits (day to be fixed)
 Basham v Hutchinson c (S.O.)
 In re Roffey's Estate, Roffey v Early f c
 Attorney-General v Castleford Local Board of Health m d
 Attorney-General v Whitwood Local Board of Health m d
 In re Reynolds' Estate, Reynolds v Reynolds f c
 Crowther v Bradney f c (Apr. 17)
 Heath v Creaklock c, wits (April 25)
 Simpson v Peach m d
 Turner v White m d
 Cleve v Financial Corporation (limd) c
 Kelly v Andrews m d
 Phillips v Taylor c, wits (April 23)
 Graham v Cole f c
 McClean v Kennard m d
 Lamb v Chantrell m d
 Powell v Holdom m d
 Hoffmann v Valle f c
 Blackley v Hall f c
 Gladstone v Mackinlay c, wits, before examiner by consent
 Graham v Graham m d
 Howes v Phillips c
 Mears v Curtis f c
 Kerr v Hilton m d
 Lewis v Lewis c
 Great Western Insurance Co. v Cunliffe m d, wits to be cross-examined abroad
 Treacher & Co limd. v Treacher m d
 Hemery v Gidley f c
 Burke v Keith m d
 White v Hight f c
 Churchill v Portsea Island Gas Light Co. c
 Youde v Cloud m d, wits before examiner
 Selby v Nettfield c
 Gerard v Parsons f c
 Powell v Powell f c
 London & Provincial Marine Insurance Co. v Seymour c, with wits (day to be fixed)
 Taylor v Fisher m d
 Stevenson v Masson f c and sums to vary
 Wilde v Wilde f c
 King v Sherrott m d
 Maddick v Hardwick m d
 Whittaker v Whittaker sp c
 Bousfield v Bousfield m d
 Lane v McLaren m d (short)
 Scarlett v Thurlow f c
 Pinchard v Fellows m d
 Hatesing v Laing m d
 Laing v Zeden m d
 Keightly v Keightly m d short

Before the Vice-Chancellor Sir JOHN WICKENS.

Causes, &c.

Price v Mayo demr
 Browne v Wales exons to further answer for insuffcy
 Bullocke v Bullocke m d wits before examn
 Bruff v Cobbold rehearing of m d and costs of motion and petn reserved
 Read v Strangways m d and petn
 Rosser v Rhys m d
 Smyth v Marshall m d
 Griffiths v Bedborough f c (April 21)
 City of London Brewery Co. (lim) v Tennant m d

Cottrell v Cottrell 1871.—C. —76.—m d
 Cottrell v Cottrell 1872.—C. —152.—m d
 Cooper v Cohen c, wits (April 22)
 Shoemith v Byerley m d
 Thomson v Shaw c, evidence viva voce at hearing (April 23)
 Riley v Ormerod m d 1871. —R.—152
 Riley v Ormerod m d 1871. —R.—153
 Lyall v Fluker m d
 The Co. of Proprietors of the Somersetshire Coal Canal Navigation v The Bristol and North Somerset Ry. Co. c
 Chamberlain v Napier f c
 Turner v Herrman m d
 Gibbs v Needham m d
 Baynes v Baynes m d
 Elsmere v Gaven m d
 Caley v Caley m d
 Rowed v Saunders m d
 Wilson v Johnstone c
 Meek, Knight, v Clarkson m d
 Sheffield v Gray c
 Arnold v Jervis m d
 Watts v Watts m d
 Attorney-General v The Mayor Alderman & Burgessess of the Borough of Barnsley m d
 Littleale v Bickersteth m d
 Wilkinson v Elster m d
 Turner v Turner m d
 Williams v Lucas m d
 Newbald v Hale c, wit
 Blackstock v Blackstock, Ashman v Blackstock f c
 Davies v Eggar m d
 Lewthwaite v Lewthwaite m d
 Wilson v Coffin c
 Sugg v Foster m d
 Lees v Sanderland f c
 Waring v Scamp c
 Groom v Savery m d
 Griffiths v Oakley f c and sums.
 Camps v Marshall m d (S. O.)
 Kerridge v Kerridge f c
 Corner v Cursbam f c
 Hennes v The Tewkesbury and Malvern Ry Co f c
 Marshall v Bedford m d
 Murton v Bigbam m d
 Puddicombe v Sparks m d
 Wagstaff v Kemp m d
 Wilkinson v Wilkinson m d
 Bradfield v Scriven m d
 Bergh v Mason f c
 Ackers v Ackers f c
 Pritchard v Roberts m d
 Enfield v Roscoe m d
 Clarke v Allison m d
 Leese v Martin m d
 Dent v Hoyo m d
 Hill v Hill m d
 Wodehouse v Cox m d
 Jacobs v Rylance f c
 Winstone v Halksworth f c
 Barton v Maw c, wits
 Mapleson v Bentham m d
 Fenninge v Pain m d
 Coultwas v Swan f c
 Hetherington v Tennant m d
 Rowe v Rowe m d
 White v Matthews m d
 White v Latter m d
 Millidge v Guy f c
 Fish v Rivers f c
 Cleary v Kennington m d
 The Blake Sole Sewing Machine Co. (limd.) v Hart m d
 Bolton v White m d
 Stokes v King m d
 Fletcher v Fletcher m d
 Holland v Gutch m d
 Shrimpton v Thomson m d
 Martin v Kent Coast Ry. Co. m d
 Maxfield v Burton m d
 The Ystalyfera Iron Co. v The Neath & Brecon Ry. Co. m d
 Budd v The Neath & Brecon Ry. Co. m d
 Bartlett v Weekes m d
 Underwood v Stewardson f c
 Gillam v Taylor f c
 Middleton v Windross f c
 Tatum v Latter f c
 Abbott v Forty f c
 Rowsell v Morris m d
 Worsell v Worsell & ors c, wits
 Worsell v Worsell c, wits
 Watson v Ross m d
 Jeffery v Hopkins m d
 Smith v Keyseall c
 Jennings v Cole f c
 Arnold v Hartley f c
 Pearson v Hall m d
 Robertson v Fraser f c
 Nicholson v Welsh m d
 Jackson v Paul m d
 Kellaway, pauper, v Douglas m d, before examiner
 Simpson v Grey f c
 The Ramsgate District Local Board v Daniel c
 Dickson v Dickson m d
 Kelly v Feltham f c
 Jordan v Keal f c
 Averill v Beeston m d
 Holden v Holden m d
 Smith v Smith m d
 Bardwell v Cheattle f c
 Lewis v Lewis m d
 Sempill v The Queensland Sheep Investment Company, limd c
 Colquhoun, Knt, v Courtenay m d
 Eddison v Eddison f c, 1869. —E.—23
 Horn v King m d
 Eddison v Eddison f c, 1869. —E.—29
 Passmore v Wyld f c
 Radloff v Le Lievre c
 Fox v Heinke c, wits
 Milne v Wood f c
 Hepburn v Dutton f c
 Morris v Davies m d
 Blakeley v Crawshaw c
 Kimber v Clunn m d
 Singer v Audsley c
 Dick v Montague m d
 Hoe v Thorpe c
 Smith v Hart c
 Grog v Sagar c
 Dicketts v Weguelin f c
 Clipperton v Cartwright m d
 Bell v Bell m d
 Leach v Green c
 Causton v Holdich f c
 Barton v Hobson m d
 Re John Evans' Estate, Evans v Evans f c, & sums
 Ive v Smith m d
 Gwynne v Great Eastern Ry. Co. c
 Miles v Harrison, Dudley v Harrison f c
 Miller v Cooper f c
 Wright v Wright c
 Greaves v Smith m d
 Smith v Butler m d
 Dicey v Forbes f c
 Jordan v Abbiss f c
 Baroness Hastings v Lord Hastings sp c
 Story v Daplyn m d (short)
 Mills v Nuttall m d
 Woodford v Brooking m d, pro confesso against deft R. A. Ives
 Mackrell v Notley m d
 Shaw v Longbottom m d

Edwards v Stephens f c
De la Rue v Marshall sp c
Driver v Driver m d
Porter v Bell m d
Colville v Colville m d
The Powell Duffryn Steam
Coal Co., Ltd., v The Taff
Vale Ry. Co. m d
Lane v Stewart f c
Ocleston v Fullalove f c
Boydell v Thornewell sp c
Mason v Peacock m d (short)
Newcombe v Jarman f c
Heath v Barlow f c
Mudlow v S. H. Bigg m d
Wilkins v Charleton m d
Dawson v Dawson f c
Gibson v Dawson f c
Snelling v Thomas m d
Haywood v Megraw m d
(short)
Boden v Hibbert f c
Williams v Treacher f c
Brown v Lawton f c
Balfour, Knight, v Sykes m d
(short)
Price v Price f c
Sporer v Simpson m d
Jaques v Dean f c
Leech v Tunnicliffe f c
Harcourt v McDougal m d
(short)
Rowley v Mc Isaac m d
Wright v Larkin f c
Fisher v Russell m d
Robins v Rose m d
Cock v Cock f c
Parnell v Stephens m d
Lucas v Lucas f c

AN ECCENTRIC NEIGHBOUR.—At the Windsor Quarter Sessions, on Thursday, articles of the peace were exhibited by Mr. William Cleave, against Mr. William Talley, solicitor. It was stated that the defendant, who resides in the next house to the complainant, had exhibited a placard in his window with the figure of a coffin on it, and words addressed to his neighbour advising him to make his coffin and "lie down and be quiet." He had also fired off pistols, invited a large number of people into his back garden, and addressed them for three-quarters of an hour in a very excited manner. The defendant was bound over to keep the peace.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

BEGG—On April 13, at 4, Buckland Villas, Belsize-park, the wife of David Gray Begg, Esq., of Lincoln's-inn, of a daughter.

FELLOWS—On April 11, at 6, Pembridge-place, the wife of Henry Fellows, Esq., barrister-at-law, of a daughter.

GREEN—On April 12, at 16, Westbourne-park-road, W., the wife of Frank Henry Green, Esq., solicitor, of a daughter.

MARRIAGES.

BURDETT-SUMMERS—On April 14, at St. Bartholomew's Church, London, Josiah Burdett, of Gray's-inn, solicitor, to Hannah Snelling, only daughter of George Summers, Esq., of Camberwell.

MORECROFT-CLOUGH—April 16, at St. John's Church, Chester, Arthur Hubert Morecroft, of Liverpool, solicitor, to Clara Margaret, eldest daughter of Charles Butler Clough, Esq., of Llwyn Offa Mold, and Boughton House, Chester.

DEATHS.

FABER—On Good Friday, at 4, Blenheim-parade, Cheltenham, Charles Waring Faber, Esq., barrister-at-law, late of 15, Old-square, Lincoln's-inn, aged 68.

FORD—On April 10, in London, Matthew Ford, Esq., of No. 8, Lincoln's-inn-fields, and 58, Marine-parade, Brighton, in the 77th year of his age.

FORD—On April 11, William Augustus Ford, Esq., of No. 6, Bathurst-street, Sussex-square, and 49, Lincoln's-inn-fields.

MELLOR—On Easter Sunday, William Jones Mellor, of Huntingdon, solicitor, in the 60th year of his age.

SMITH—On April 13, at Awliscombe, John Bridgeman Smith, solicitor, Honiton, in the 53rd year of his age.

LONDON GAZETTES.

Professional Partnerships Dissolved.

TUESDAY, April 15, 1873.

Jones, Charles Gwillim, and Benjamin Starling, Gray's inn sq, Attorneys and Solicitors. April 5.

Rooks, George Arthur, George Kenrick, and Edward French Buttermer Haxton, King st, Cheapside, Attorneys and Solicitors. April 3.

Winding up of Joint Stock Companies.

FRIDAY, April 11, 1873.

UNLIMITED IN CHANCERY.

St Peter's College, Eaton square.—Petition for winding up, presented April 8, directed to be heard before Vice Chancellor Bacon, on Saturday, April 19. Kinsey and Ade, Bloomsbury place, solicitors for the petitioners.

LIMITED IN CHANCERY.

Boson Company (Limited).—Creditors, including those holding debentures, bonds, mortgages, or other securities, are required, on or before May 17, to send their names and addresses, and the particulars of their debts or claims to William Bailey Hawkins and George Augustus Cape, 8, Old Jewry. Thursday, June 5 at 12, is appointed for hearing and adjudicating upon the debts and claims.

TUESDAY, April 15, 1873.

LIMITED IN CHANCERY.

Briton Ferry Collieries Company (Limited).—Petition for winding up, presented April 10, directed to be heard before Vice Chancellor Malins on April 25. Merriman and Co, Queen st, Cheapside, solicitors for the petitioners.

North of Europe Wood Pulp Company (Limited).—Petition for winding up, presented April 10, directed to be heard before Vice Chancellor Malins, on Friday, April 25. Merriman and Co, Queen st, Cheapside, solicitors for the petitioners.

STANNARIES OF CORNWALL.

FRIDAY, April 11, 1873.

Terras Tin Mining Company (Limited).—Petition for winding up, presented April 4, directed to be heard before the Vice-Warden, at the Princes Hall, Truro, on Thursday, May 8 at 12. Gregory and Co, Bedford row; agents for Hodge and Co, Truro.

Creditors under Estates in Chancery.

Last Day of Proof.

FRIDAY, April 11, 1873.

Horne, Stephen Isaac. Horne Grove, Worcester, Farmer. April 16.
Perrins v Horne, V.C. Wickens. Crowther, Kidderminster
Landfield, William Leonard, Gray's Thurock. Essex, Lighterman.
April 28. Landfield v Landfield, V.C. Malins. Francis, Austin
Friars
Lidgard, Thomas, Kingston-upon-Hull, Gent. May 7. Maddra v
Morison, V.C. Bacon. Reed, Hull
Wright, William, Horton, Bradford, York, Joiner. May 15. Wright v
Wright, V.C. Bacon. Berry and Robinson, Bradford

TUESDAY, April 15, 1873.

Ramsdalle, James, Holme-upon-Spalding Moor, York, Yeoman. May 14. Smith v Boast, V.C. Malins. Barland and Son, South Cave

Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

TUESDAY, April 8, 1873.

Acton, John, Buxton, Derby, Chemist. May 15. Taylor, Buxton
Allison, William, White Lee, Easington, Durham, Farmer. May 13.
Fairclough, Sunderland
Aslett, Edward, Hounslow, Middlesex, Gent. May 19. Jackson,
Lincoln's inn fields
Borman, Allan, Derby, Surgeon. May 1. Leech, Derby
Cobb, John, Horn lane, Acton, Licensed Victualler. May 14. Brown
and Waters, Lincoln's inn fields
Corderoy, James, Newcastle place, Edgware rd, Butcher. May 14.
Brown and Waters, Lincoln's inn fields
Curtis, Anna Maria, New Cavendish st, Widow. May 20. Farrar and
Co, Lincoln's inn fields
Dixon, Robert Stainton, New Barnet, Hertford, Gent. June. 1.
Denton and Co, Gray's inn square
Dixon, William Frederick, Page Hall, Ecclesfield, York, Esq. May 16.
Watson and Esam, Sheffield
Forristall, Michael, Carlyle square, Chelsea. May 20. Lawson, Lombard st
Fowler, John, Wadsley Hall, Ecclesfield, York, Gent. May 16. Watson
and Esam, Sheffield
Franklin, Joseph, Ewelme, Oxford, Farmer. June 24. Hedges and Co,
Wallingford
Greedy, James, Manchester, Joiner. May 8. Diggles, Manchester
Horrocks, Thomas, Bury, Lancashire, out of business. April 30.
Whitehead and Co, Bury
Hosken, Richard, Penryn, Cornwall, Merchant. June 1. Jenkins,
Penryn
Kenworthy, John Lees, Pentleton, Lancashire, Sharebroker. May 8.
Norris and Wood, Manchester
Lawton, Henry, Stoke-upon-Trent, Stafford, Licensed Victualler. May
10. Litchfield, Newcastle-under-Lyme
Lewis, Robert, Caroline st, Bedford square, Esq. May 24. Turner,
Bedford row
Meeke, Joseph, Sheffield, Draper. April 17. Ibbotson, Sheffield
Morgan, George, Hendon, Middlesex, Farmer. May 14. Brown and
Waters, Lincoln's inn fields
Potter Jonathan, Runcorn, Cheshire, out of business. May 12. Davies,
and Brook, Warrington
Pugh, Maria, Oswestry, Salop, Widow. Aug 1. Sabine and Whitfield
Oswestry
Rensford, George, Rosherville, Kent, Gent. May 31. Livett, Bristol
Reay, James, Bishopwearmouth, Darham, Gent. May 1. Trewthitt,
Sunderland
Stain, John Everard, Belize, British Honduras, Lumber Measurer.
June 1. Young and Co, Frederick's place, Old Jewry
Townsend, William Wood, Southport, Lancashire, Esq. May 3. Pyke
and Co, Lincoln's inn fields
Turner, Joseph, Milwich, Stafford, Potter's Pressor. May 10. Litch-
field, Newcastle-under-Lyme
Willson, William, Littleover, Derby, Gent. May 1. Leech, Derby
Woodin, Daniel, Bridley Manor, Surrey, Esq. June 2. Torr, Bedford
row
Wright, Thomas, Little Hulton, Lancashire, Colliery Proprietor. May
1. Ramwell and Co, Bolton
Wymann, Henry, Southsea, Hants, Esq. May 31. Broughton, Fins-
bury square
FRIDAY, April 11, 1873.
Baker, Diana Bond, Belvedere, Kent, Spinster. May 11. Hills and
Winch, Chatham
Bowen, Mary, Llanfyllfach, Montgomery, Widow. May 10.
Woosnam and Talbot, Newtown
Clark, Thomas, Low Groves, Westmorland, Farmer. May 12. Thom-
son and Graham, Kendal
Cowing, Sarah, Clarence rd, Lower Clapton, Widow. May 1. Cattlin,
Basinghall st
Cummings, Susannah, Leicester, Widow. June 24. Haxby, Leicester
Curtis, George Savage, Tringmouth, Devon, Esq. June 24. Mackenzie
and Co, Crown court, Old Broad st
Cajiga, Ramon de la, Oaxaca, Mexico, Merchant. May 15. Upton and
Co, Austin Friars
Harris, Thomas, Reading, Berks, Brewer. May 24. Rogers, Reading

Higginson, Henry John, Abergavenny, Monmouth, Gent. May 15.
Hunter and Co, New square, Lincoln's inn
Homan, George, Southleigh, Oxford, Yeoman. May 13. Westell,
Witney
Johnston, Sarah, Auckland rd, Victoria Park. May 1. Brighton.
Bishopsgate st, With-out
Perkins, Algernon, Hanworth Park, Middlesex. -sq. June 10. Mar-
son and Dudley, Southwark bridge rd
Lea, William, Hauborne, Stafford, F.-mer. May 20. Jaques, Birming-
ham
Lewis, Robert, Caroline st, Bedford square, Esq. May 21. Turner,
Bedford row
Lockwood, Charles, Sheffield. Merchant. May 31. Wake, Sheffield
Lockwood, William, Sheffield, out of business. May 31. Wake,
Sheffield
Norris, Edward, Burnley, Lancashire, Gent. May 10. Norris and Co,
Bedford row
Oakes, Robert, Gravesend, Kent, Esq. May 20. Gosling, Spring
gardens
Parker, Sophia, Sevenoaks, Kent, Widow. May 12. Carnell, Sevenoaks
Potts, George, Broseley, Salop, Banker. July 1. Potts, Broseley
Pitt, John, Colchester, Essex, Ironmonger. May 31. Neck, Colchester
Robinson, John, Gauxholme, near Todmorden, Lancashire, Wheel-
wright. May 16. Stansfield, Todmorden
Wightman, Walter, Sydling St Nicholas, Dorset, Builder. May 21.
Sparks, Crewkerne
Birnie, Ann, O-ford st, New rd, Whitechapel rd, Widow. June 9
Frentice, Whitechapel rd
Young, Michael, Newcastle-upon-Tyne, Master Mariner. May 15.
Longstaff, Gateshead

TUESDAY, April 15, 1873.

Ambrose, Thomas Cole, Swaffham Prior, Cambridge, Farmer. May 21.
Francis, Webster and Riches, Cambridge
Bourne, Robert, Morris Valley Farm, Salop, Farmer. May 30. Hard-
wick, Bridgnorth
Coe, Robert, Tiney-cum - Islington, Norfolk, Farmer. May 19.
Jarvis, King's Lynn
Frankland, William, Langrigg, Westmorland, Farmer. May 31.
Preston, Kirby Stephen
Griffiths, Jenkin, Cardiff, Glamorgan, Saddler. June 10. Davis,
Cardiff
Griffiths, Joshua Davies, Hasgaurd, Pembroke, Farmer. May 12. Price,
Haverfordwest
Hook, Harry, Woodchurch, Kent, Farmer. June 2. Munn and Mace,
Tenterden
Hoppe, Henry, Sun court, Solicitor. May 10. Jenkinson and Co, Corbet
court
Howgate, Alfred, Assumption, Paraguay, Engineer. April 30.
Hildreth and Ommamney, Norfolk st, Strand
King, Richard, Bainbridge, York, Gent. May 12. Preston, Kirby
Stephen
Martin, Ann, Bath, Widow. May 10. Cook and Sons, Bristol
Metcalve, William, Mouthlock-upon-Stainmore, Westmorland, Yeoman.
May 31. Preston, Kirby Stephen
Middleton, James, Hall Hill, Kirby Stephen, Westmorland, Farmer.
May 12. Preston, Kirby Stephen
Mortimer, John, Uckfield, Sussex, Esq. June 9. Bird, Lincoln's inn
fields
Stark, William, Herne Bay, Kent, Esq. June 9. Bird, Lincoln's inn
fields
Thrupp, Theodore Edwin, Fairholme, Upper Teddington, Esq. June 16.
Burgoyne and Co, Oxford st

Bankrupts.

FRIDAY, April 11, 1873.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in London.

Astey, Christopher John, Gullford st, Russell square, Barrister-at-Law.
Pet April 8. Spring-Rice. April 30 at 11
Bealy, Francis Nelson, Westminster rd, Licensed Victualler. Pet
April 8. Spring-Rice. April 30 at 11.30
Ferry, James, Bathnal Green rd, Looking glass Manufacturer. Pet
April 8. Spring-Rice. April 30 at 12
Parker, John, Tavistock crescent, Westbourne Park, Dairyman. Pet
April 10. Spring-Rice. April 30 at 1
Sternheim, Jacob, Anthony st, Commercial rd, Clothier. Pet April 7.
Murray. April 24 at 11
Woolf, Jonas, Bell lane, Spitalfields, Waste Paper Merchant. Pet April
7. Murray. May 2 at 11

To Surrender in the Country.

Copping, Walter Thomas, Great Bromley, Essex, Miller. Pet April 9.
Barnes, Colchester. April 26 at 11
Hinchcliffe, Edward, Macclesfield, Cheshire, Silk Manufacturer. Pet
April 9. Mair. Macclesfield, April 26 at 12
Hall, George Henry, Godalming, Surrey, Attorney-at-Law. Pet April
8. White. Guildford. April 24 at 12
Oswald, Edward, 8 afford, Commission Agent. Pet April 9. Keary.
St-ke-upon-Trent, April 26 at 11
Salinas, Antonio, Octavio Salinas, and Pedro Beltran, Liverpool, Mer-
chants. Pet March 14. Hime. Liverpool, April 23 at 3

TUESDAY, April 15, 1873.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in the Country.

Ashwell, Frederick, Newlyn, Cornwall, Merchant. Pet April 12.
Chilcott. Truro, April 29 at 12
Jouling, George Frederick, Esher, Surrey, Farmer. Pet April 10. Bell.
Kingston, May 1 at 2
Lyall, Thomas, Southport, Lancashire, Painter. Pet April 10. Watson.
Liverpool, April 29 at 2
Scott, Benjamin, Birmingham, out of business. Pet April 7. Chantler,
Birmingham, April 28 at 2
Toplis, Robert Cuit, Rotherham, York, Licensed Victualler. Pet April
3. Wake. Sheffield, May 1 at 12

Walbridge, Martha, Powerstock, Dorset, Widow. Pet April 10.
Symonds. Dorchester, April 28 at 3

Liquidation by Arrangement.
FIRST MEETINGS OF CREDITORS.

FRIDAY, April 11, 1873.

Baker, Alfred Charles, Kingston Seymour, Somerset, Farmer. April
23 at 3 at offices of Beckington, Albion Chambers, Broad st, Bristol
Baxter, John, and Lager Lutterer, Cambridge, Saddlers. April 29 at 3
at offices of Wild and Co, Ironmonger lane, Cheapside
Beer, John Mountain, Brighton, Tailor. April 29 at 12 at 33, Gutter
lane. Lamb, Ship st, Brighton
Boning, James, Leadenhall market, Engraver. April 24 at 11 at offices
of Thwaites, Basinghall st. Dobie, Basinghall st
Born, Ferdinand, Berners st, Oxford st, Iron Pianoforte Importer. April
22 at 2 at offices of Bradley, Berners st
Brooks, Thomas, Mannington, Essex, Linen Draper. April 30 at 1 at
the Red Lion Hotel, Colchester. Smith
Brown, James, Bolton, Lancashire, Provision Dealer. April 25 at 2 at
offices of Eyles, Mawdsley st, Bolton
Bunting, John Freeman, Fountain court, Aldermanbury, Warehous-
man. May 6 at 2 at offices of Hudson and Co, Bucklersbury
Caffin, John Augustine, George st, Tower hill, Licensed Victualler. April
23 at 3 at offices of Jennings, Leadenhall st
Ceffala, Gerasimo, and Caralabo Ceffala, Manchester, Merchants. April
30 at 3 at offices of Kearsley, Brazennose st, Manchester
Charnley, Thomas, Warrington, Lancashire, Plumber. April 21 at 3 at
offices of Davies and Co, Bewsey st, Warrington
Clark, Adam, Longton, Stafford, Tobacconist. April 24 at 11 at offices
of Welch, Caroline st, Longton
Cowan, George, Stockton-on-Tees, Durham, Provision Dealer. April 21
at 11 at offices of Draper, Finkle st, Stockton-on-Tees
Creswell, Francis, Sheffield, Hay Dealer. April 23 at 12 at offices of
Patteson, Bank, Sheffield
Dagger, William, Lytham, Lancashire, Plumber. April 23 at 3 at
offices of Forshaw, Cannon st, Preston
Davis, Frederick, Bristol, Lithographer. April 21 at offices of Hancock
and Co, Gullihall, Broad st, Bristol (in lieu of the place originally
named)
Daw, Albert, Frederick st, New Cross, Commercial Traveller. April 24
at 3 at offices of Starkey, Angel court, Throgmorton st
Dawson, Albert, Avenue place, Lewisham, Stationer. April 23 at 11 at
offices of Egleston, Newgate st
Dohy, John, Markfield, Longton, Stafford, Drysalter. May 1 at 2 at
offices of Welch, Caroline st, Longton
Edwards, Charles, Newport, Monmouth, Grocer. April 25 at 11 at
offices of Lloyd, Bank chambers, New-rd
English, Edward, Blackfriars rd, Journeyman Butcher. April 21 at 3
at 12, Hatton garden. Marshall
Field, Anne, Snodland, Kent, Miller. April 26 at 12 at offices of Hay-
ward, High st, Rochester
Fisher, Henry, Blenheim terrace, Abbey rd, St John's Wood, Fish-
monger. April 23 at 2 at offices of Chapman and Turner, Lincoln's
inn fields
Forster, James, Swansea, out of occupation. April 27 at 11 at offices
of Smith and Co, Somerset place, Swansea. Law 14, Swansea
Fund, August, Birmingham, Jeweller. April 21 at 3 at offices of Parry,
Bennett's hill, Birmingham
Garratt, William Thomas, Salford, Thread Polisher. April 29 at 12 at
the Palatine Hotel, Hunts Bank, Manchester. Ashton, Frodham
Gibbs, Charles Frederick, Ilminster, Somerset, Grocer. April 24 at 3
at the George Hotel, Ilminster. Paull, Ilminster
Gorton, William, Manchester, Yarn Agent. April 30 at 3 at offices of
Stead, Bank chambers, Essex st, Manchester
Grievess, James, Mincing lane, Iron Merchant. April 23 at 12 at the
Guildhall Coffee House, Gresham st. Crump, Philpot lane
Gurney, Daniel, Rutland terrace, Abbey rd, St John's Wood, Butcher.
April 21 at 2 at offices of Nash and Co, Suffolk lane, Cannon st
Hall, Philip, Perry Barr, near Birmingham, Boot Manufacturer. April
22 at 12 at offices of Free, Temple row, Birmingham
Hall, William, Prescott, Lancashire, Provision Dealer. April 24 at 2 at
offices of Tyer, Vicarage place, Prescott
Hammond, Thomas, and James Cleminson, Old st, St Luke's Wholesale
Ironmonger. April 22 at 11 at the Great Western Hotel, Monmouth
st, Birmingham. Miller and Miller, Shorborne lane
Holt, William, Sharpley, near Bolton, Lancashire, Spinner. April 30 at
3 at offices of Gooden, Mawdsley st, Bolton
Johnson, Peter, Leeds, Bath Keeper. April 21 at 3 at offices of Walker,
East Parade, Leeds
Kreglinger, Adolph, Noble st, Commission Agent. April 23 at 4 at
offices of Wetherhead, Gresham buildings
Lawrence, Joseph, Bury, Lancashire, Tailor. April 23 at 3 at the Clare-
ence Hotel, Spring Gardens, Manchester. Grundy and Co, Union st,
Bury
Lee, James, Buckfastleigh, Devon, Draper. April 28 at 2 at offices of
Swaine, Cheapside
Liebermann, Paul, Mark lane, Merchant. April 25 at 3 at offices of
Mason, Gresham st
Livesey, John, sen, Preston, Lancashire, Building Contractor. April 24
at 3 at offices of Forslaw, Cannon st, Preston
Lowndes, Abraham, Chelms, Stafford, Grocer. April 21 at 11 at 30,
Cheapside, Hanley, Stevenson
Machin, Edward, Portsmouth, Hants, Tobacconist. April 26 at 11 at
offices of Barton and Drew, Fore st
Markham, Benjamin David, John's place, Dennewald, Queens rd, Peck-
ham, Milk Dealer. April 18 at 4 at offices of Oly, Trinity square,
Southwark
Mendeisohn, Max, London wall, Merchant. April 28 at 3 at offices of
Holmes, Eastcheap
Millard, Richard, Liverpool, Coal Merchant. April 28 at 2 at offices of
Meadows, Dale st, Liverpool
Oppert, Emilios Daniel, and Gustavus Gerson Josephson, Leadenhall st,
East India Agents. April 29 at 2 at offices of Ashurst and Co, Old
Jewry
Paget, George, Bristol, Miller. April 18 at 12 at offices of Hancock and
Co, Broad st, Bristol. Benson, Bristol
Pascoe, Frederick, Exmouth, Draper. April 24 at 12 at office of Harris
and Co, Gandy st, chambers, Exeter

Phillips, William, Hereford, Bookseller. April 24 at 12 at 2, Palace yard, Hereford. Garrod
 Plummer, George, Globe road, Mile End Old Town, out of business.
 April 19 at 11 at offices of Long, Landsdown terrace, Grove rd, Victoria Park
 Prior, William, Bideford, Devon, Painter. April 28 at 12 at Bath House, Bideford. Smales
 Potter, James, Colchester, Essex, Grocer. April 23 at 12 at the Guildhall Tavern, Gresham st. Smith
 Potts Richard, Newcastle-upon-Tyne, Painter. April 26 at 12 at office of Gibson, Mosley st, Newcastle-upon-Tyne
 Prentiss, Thomas, Reading, Berks, Grocer. April 26 at 4 at offices of Mortimore, Devonshire st, Portland place
 Pressland, Henry Webb, Princes road, Notting Hill, Draper. April 21 at 4 at offices of York, Marylebone rd
 Reeves, John, Stoke-upon-Trent, Stafford, Beerseller. April 24 at 2 at offices of Welch, Caroline st, Longton
 Riches, William James, Lowestoft, Suffolk, Chemist. April 23 at 12 at offices of Seago, High st, Lowestoft
 Ridley, Henry, Hockley, Birmingham, Chemist. April 22 at 11 at office of Ladbury, Newhall st, Birmingham
 Seward, James, Brookhurst, Hants, Baker. April 24 at 3 at offices of Blake, Union st, Portsea
 Scott, Joseph, Easington lane, Durham, Brick Manufacturer. April 28 at 11 at offices of Fairclough, West Sunnisdale, Sunderland
 Seed, Edward, Blackburn, Lancashire, Venetian Blind Maker. April 24 at 11 at offices of Radcliffe, Clayton st, Blackburn
 Shaw, Henry, Clitheroe, Lancashire, Slater. April 25 at 11 at office of Eastham, Clitheroe
 Smart, William, and Joseph Brown, Amberley, Sussex, Lime Merchants. April 26 at 12 at the Old Ship Rooms, Brighton. Black and Co, Brighton
 Solomon, Henry, Handsworth, Stafford, Commission Agent. April 23 at 3 at offices of Griffin, Bennett's hill, Birmingham
 Spencer, Edward Alfred, Liverpool, Clothier. May 1 at 11 at offices of Gibson and Bolland, South John st, Liverpool. Anderson and Co, Liverpool
 Steel, William Francis, Rochester row, Westminster, Watchmaker. April 19 at 11 at offices of Willis, St Martin's court, Leicester square
 Stuart, Alfred, Boile Vue terrace, Seven Sisters rd, Holloway, Seaman. April 26 at 3 at offices of Webster, Basinghall st. Popham, Vincent terrace, Islington
 Sullivan, Timothy, Liverpool, Tailor. April 24 at 3 at offices of Gray, Mount Pleasant, Liverpool
 Tomlins, John, Great Malvern, Worcester, Saddler. April 21 at 12 at the Union Hotel, Union st, Birmingham. Parker, Worcester
 Treemere, Samuel Bews, Devonport, Devon, Licensed Victualler. April 24 at 11 at offices of Beer and Rundle, Ker st, Devonport
 Trench, John, Oxtou, Cheshire, Boot Maker. April 24 at 3 at offices of Mawson, Duncann st, Birkenhead. Anderson
 Tweed, Joseph, Birchinchills, Lindley, near Huddersfield, York, Cattle Dealer. April 23 at 11 at offices of Norris and Co, Halifax
 Weber, John Michael, Stanmore st, Caledonian rd, Baker. April 23 at 11 at offices of Russell, Wallbrook
 Wheeler, Robert, Warden rd, Kentish Town, Cheesemonger. April 17 at 12 at offices of Stokes, Chancery lane
 Whitnall, Edward, Liverpool, Picture Dealer. April 25 at 2 at offices of Gibson and Bolland, South John st, Liverpool. Duke and Goffey, Liverpool
 Willis, James, Skipbridge, York, Farmer. April 23 at 3 at offices of Dale, Museum st, York
 Wilson, Thomas, Ince, Mackerfield, Lancashire, Blacksmith. April 28 at 11 at offices of France, Church gate, Market place, Wigan
 Wood, James, Hudson's yard, Georgiana st, Camden Town, Pianoforte Key Maker. April 24 at 2 at offices of Miles, King Edward st, Newgate st
 Woodruff, Joseph, Barnsley, Warehouseman. April 24 at 11 at office of Frudd, Church st, Barnsley
 Wrapsom, George Henry, Southsea, Hants, Grocer. April 22 at 11 at offices of Walker, Union st, Portsea
 Young, Samuel, Salford, Lancashire, Beer Retailer. April 23 at 3 at offices of Hall and Son, Piccadilly, Manchester

TUESDAY, April 15, 1873.

Attwood, Edward, Landport, Southampton, Grocer. April 25 at 12 at 145, Cheapside. Cousins and Burridge, Portsmouth
 Bate, Henry, Queen's rd, Surrey, Surgeon. April 24 at 12 at offices of Lewis, Basinghall st. Steadman, Coleman st
 Belchamber, John, Wimbledon, Surrey, Saddler. April 28 at 3 at offices of Hepburn and Son, Bird in Hand court, Cheapside
 Burton, John, Selby, York, Boot Maker. April 30 at 11 at offices of Bantoft, Finkle st, Selby
 Clarke, Henry, Broeley, Salop, Miller. May 1 at 12 at offices of Knowles and Son, Wellington
 Coleman, John, Upper Walmer, Kent, Grocer. May 1 at 10 at the Royal Exchange Hotel, Deal. Drew, Deal
 Coppen, Henry, Jamaica Level, Rotherhithe, Waste Paper Dealer. April 23 at 10 at offices of Lewis, Basinghall st. Loog, Basinghall st
 Dales, William, Leeds, Cabinet Maker. April 29 at 2 at offices of Emaley, East Parade, Leeds
 David, Thomas, Pantrythin Caur Farm, near Bridgend, Glamorgan Farmer. May 1 at 2 at the Royal Hotel, St Mary st, Cardiff. Batchelor, Newport
 Dear, Courad, Great Pearl st, Spitalfields, Fur Dresser. April 30 at 3 at offices of Ditton, Ironmonger lane
 Dodgson, John, Clerk, but now a Prisoner in Holloway Goal. April 24 at 3 at offices of Hilearya and Tunstall, Fenchurch buildings
 Durand, Charles, Canterbury, Wine Merchant. April 28 at 12 at offices of Doyle and Edwards, Cary st, Lincoln's inn. Delassaux
 Harris, John Paine, Fyfield, Essex, Farmer. April 28 at 11 at 17, Great James st, Bedford row. Drawbridge
 Harrop, Henry, Oldham, Lancashire, Cotton Doubler. May 2 at 3 at the Clarence Hotel, Spring gardens, Manchester. Leigh, Manchester
 Helles, Nicholas Sownton, Newton Abbot, Devon, Butcher. May 1 at 11 at offices of Creed, Courtenay st, Newton Abbot
 Heppleston, Alfred, Bedford, York, Smallware Dealer. April 26 at 11 at offices of Feil and Gault, Chapel lane, Bradford
 Hill, William, Grassendale, near Liverpool, Plumber. April 30 at 3 at offices of Ponton, Vernon st, Liverpool

Holloway, Henry, Manse villas, Rectory rd, Stoke Newington, Commission Agent. April 23 at 3 at 2, Gresham buildings, Guildhall. Godfrey
 Hope, William Richmond, Birmingham, Varnish Merchant. April 24 at 10 at offices of East, Colmore row, Birmingham
 Jones, John Morgan Edwards, Brighton, Sussex, Gent. May 1 at 3 at offices of Black and Co, Ship st, Brighton
 Josing, William, Little Park, Great Waltham, Essex, Farmer. April 23 at 12 at offices of Duffield and Bruty, High st, Chelmsford
 Mullins, Henry William, Cain place, Kentish Town, Grocer. April 29 at 3 at offices of Stoddard, Chancery lane
 Nash, Daniel, Smethwick, Stafford, Ironfounder. April 28 at 11 at offices of Shakespeare, Church st, Oldbury
 Nutman, George Robert, Leicester, Chemist. April 23 at 2 at offices of Fowler and Smith, Hotel st, Leicester
 Owens, John, West Derby, Lancashire, out of business. April 29 at 3 at offices of Ponton, Vernon st, Liverpool
 Paraby, John William, Osley, York, Grocer. April 23 at 11 at office of Whiteley, Albion st, Leeds
 Piggott, James John, Wells st, Hackney, Baker. April 23 at 2 at office of Godfrey, Gresham buildings, Guildhall
 Quirk, Rev James Richard, Blandford, Dorset. April 30 at 11 at offices of Johns and Traill, Blandford, Forum
 Rankin, Allan, Southampton, Hotel Keeper. April 24 at 3 at offices of Pockock, Portland st, Southampton
 Rawson, Samuel, and Thomas Rawson, Birmingham, Fruit Merchants. April 24 at 12 at the Hen and Chickens Hotel, Birmingham. Hawks, Birmingham
 Robinson, John, Gateshead, Durham, Innkeeper. April 25 at 11 at offices of Sewell, Grey st, Newcastle-upon-Tyne
 Round, Sarah Ann, Kidderminster, Worcester, Confectioner. April 23 at 12 at 190, Blackwell st, Kidderminster. Lowe, Dudley
 Scofield, John Henry, Birmingham, Butcher. April 21 at 12 at offices of Asinder, Union st, Birmingham
 Taylor, Mariborough Milbanke, High Holborn, Printre. April 26 at 1 at offices of Berkeley, Marylebone rd
 Temple, William, Forest Hill, Kent, Grocer. April 29 at 3 at offices of Bath and Co, King William st. Stokes
 Thornton, Thomas, Warrington, Cuckfield, Sussex, Gent. April 30 at 12 at 34, Old Jewry. Black and Co, Brighton
 Webster, Robert, Hornimouth, Norfolk, Farmer. April 25 at 3.30 at the King's Head Hotel, East Dereham. Webster

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